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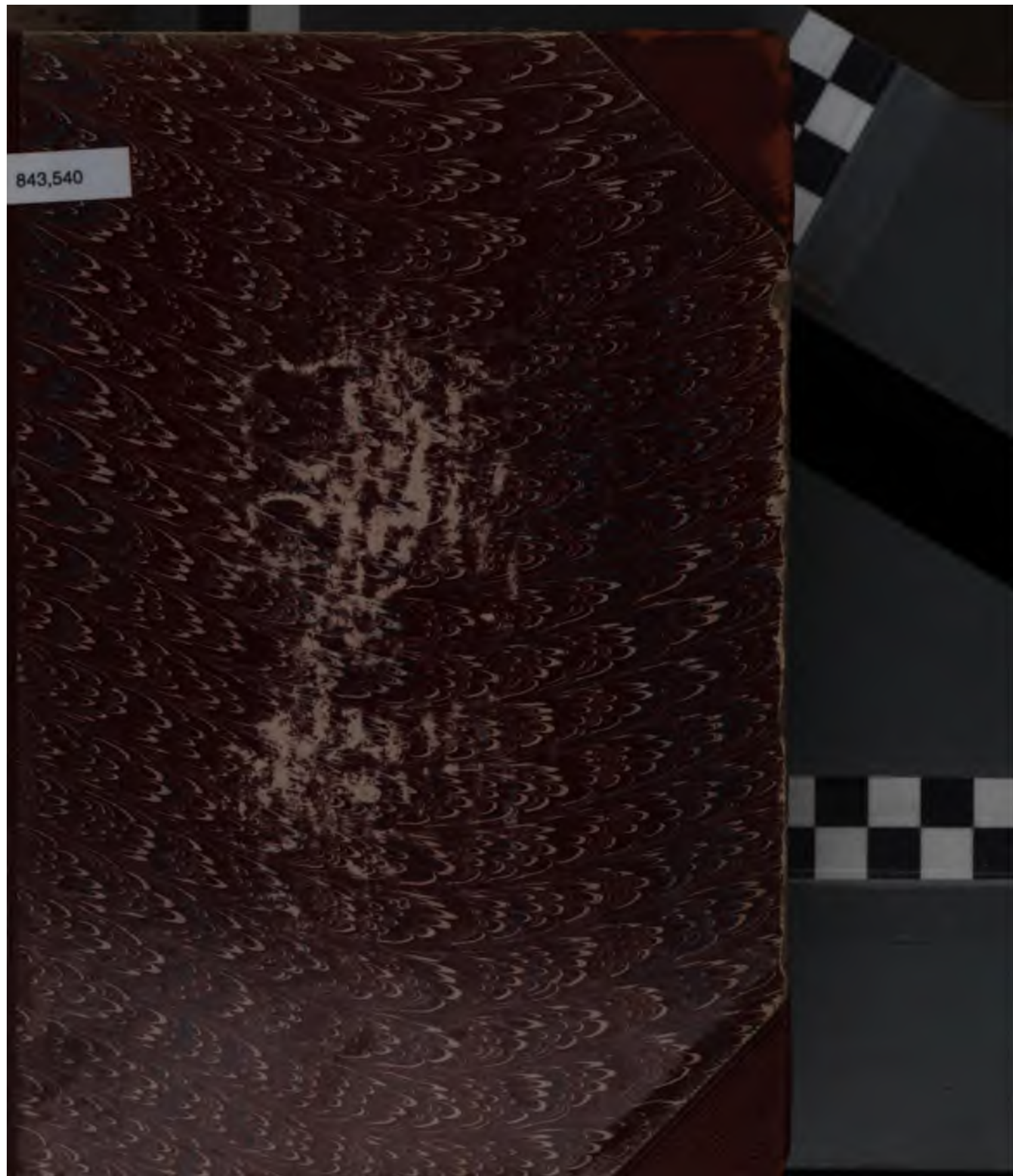
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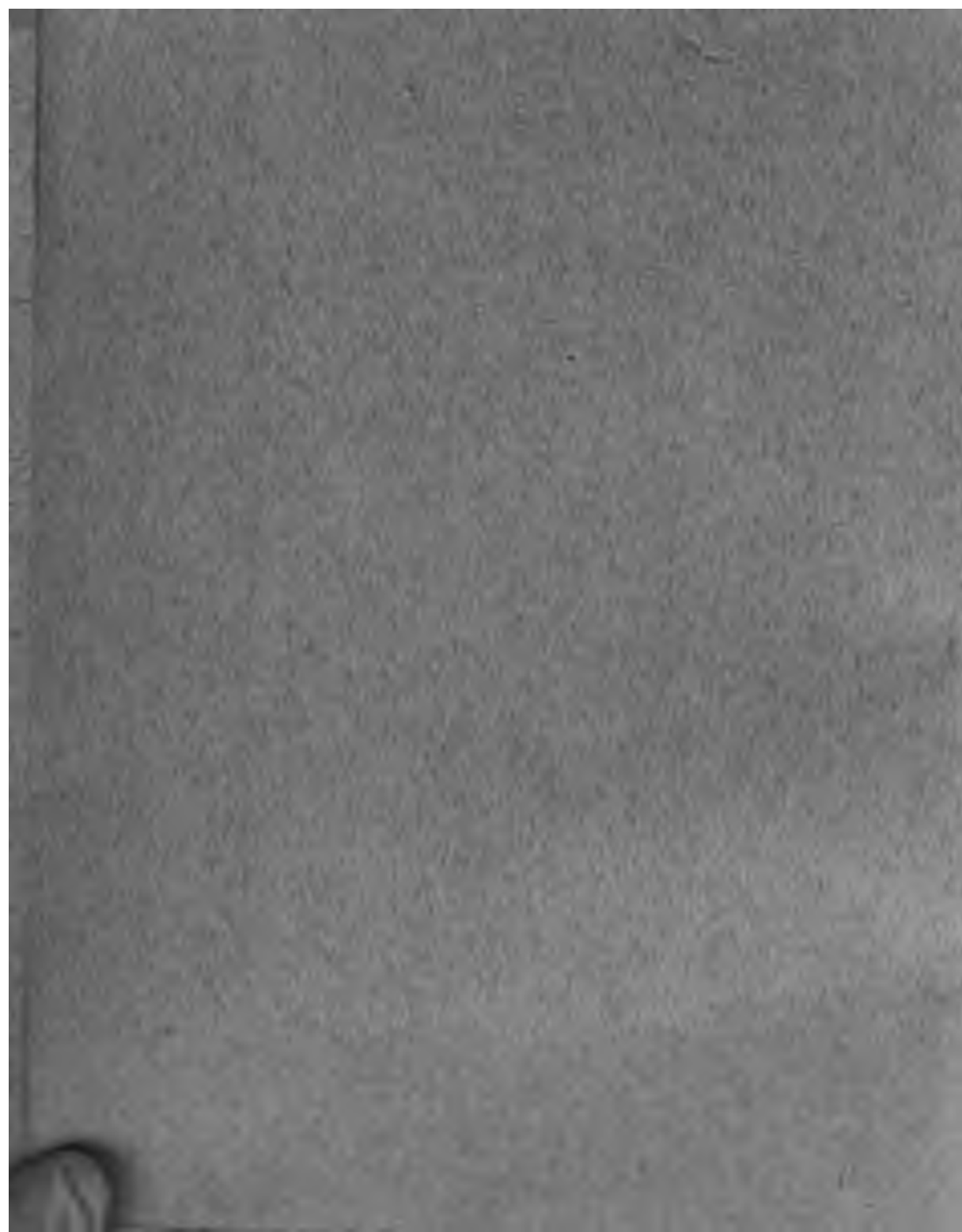
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EDWARD RANDOLPH.

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**TWO HUNDRED AND FIFTY COPIES.**

# EDWARD RANDOLPH;

INCLUDING

HIS LETTERS AND OFFICIAL PAPERS FROM THE NEW ENGLAND,  
MIDDLE, AND SOUTHERN COLONIES IN AMERICA, WITH  
OTHER DOCUMENTS RELATING CHIEFLY TO THE  
VACATING OF THE ROYAL CHARTER OF THE  
COLONY OF MASSACHUSETTS BAY.

1676-1703.

WITH HISTORICAL ILLUSTRATIONS

AND A

## MEMOIR

BY ROBERT NOXON TOPPAN, A.M.

MEMBER OF THE AMERICAN ANTIQUARIAN SOCIETY, THE AMERICAN  
PHILOSOPHICAL SOCIETY, THE COLONIAL SOCIETY  
OF MASSACHUSETTS, ETC.

IN FIVE VOLUMES.

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## DOCUMENTS AND LETTERS.

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LETTER OF KING CHARLES TO THE GOVERNOR AND COUNCIL OF THE MASSACHUSETTS COLONY, 27 APRIL, 1678.

*Collection of Papers*, by Thomas Hutchinson, Prince Society, Vol. II. p. 253.

Charles R.

Trusty and well beloved, We greet you well.

Whereas We have been given to understand that you did in the month of October last, passe a law in your Assembly at Boston for the reviving and administring a certain oath of fidelity to the country, and whereas the enjoining the said oath at such time, when you had intimation by your agents here of our being displeased with the forme thereof, is highly disrespectfull to Us, and seems to be intended as a snare in the way of many of our good subjects there, of whose preservation We shall ever be tender; We have thought fit hereby to signify to you that We take the untimely renewing and enjoining of the said oath very ill, and that We look upon the same as derogatory to our honour as well as defective in point of your duty, inasmuch as the allegiance due to us, and the fidelity to the country are joyned together

together in the same undecent forme, wherein such fidelity is made even to precede your allegiance to us. And though We doe not, for the present, prescribe what forme may be proper amongst yourselves, as to your corporation oath, yet We doe hereby strictly require and command you to give order that the oath of allegiance, as it is by law established in this Our kingdom of England, a copy of which oath attested by one of Our principall secretaries of state you will receive herewith inclosed, be administered unto and taken by all Our subjects, inhabitants within that Our colony, who are of yeares to take an oath, wherein We expect your entire obedience and utmost care, this being soe fundamentall a concerne to Our dignity and government, We could not omit any longer to signify to you Our pleasure therein, though severall other matters of moment relating to that Our colony are still depending before Us, in which We are not come to any finall resolution. And so We bid you farewell. Given at Our Court at Whitehall the 27th day of Aprill 1678, in the thirtieth yeare of Our Reigne.

By his Majesties Command

WILLIAMSON.

#### MISDEMEANORS SUFFICIENT TO AVOID CHARTER.

*State Papers, Colonial, Entry Book, 105, p. 256.*

At the Committee for Trade and Plantacons  
In the Council-Chamber at Whitehall  
Thursday the 16<sup>th</sup> of May 1678.

Present: Lord Privy Seale, Earl of Bridgewater, Earl  
of Northampton, Visco<sup>t</sup> Fauconberg, Earl of Craven, M<sup>r</sup>  
Chanc<sup>r</sup>

Chanc<sup>r</sup> of y<sup>e</sup> Excheq<sup>r</sup>, M<sup>r</sup> Sec<sup>re</sup> Coventry, M<sup>r</sup> Sec<sup>r</sup> Williamfon.

. . . . .  
The Petiti<sup>on</sup> of the Agents of Boston is read,  
New England. whereby they fet forth their excuses for not hav-  
ing represented to their Superiors what their Lo<sup>ps</sup> had de-  
clared vnto them for redrefs of the abuses practiced in that  
Colony, and desire their Lo<sup>ps</sup> to make a favorable Report  
vpon the Petitions of the foure Towns presented by them, for  
their continuance vnder the Massachusets Government; which  
they beseech their Lo<sup>ps</sup> to hasten, in consideration of their  
long attendance, promising withall their utmost endeavors,  
at their returne home, to promote the execution of such  
Orders as His Ma<sup>tie</sup> shall think fit to give them for the settle-  
ment and regulation of their Colony.

Answer of M<sup>r</sup>  
Attorney &c. to  
3 Queres.

Their Lo<sup>ps</sup> doe likewise read the Answer of  
M<sup>r</sup> Attorney and M<sup>r</sup> Sollicitor General to the  
three Queres concerning the Massachusets Colony, referred  
vnto them by Order of the 8<sup>th</sup> of April last, wherein they  
doe signify their opinions.

1. That as to y<sup>e</sup> Patent of 4<sup>to</sup> Caroli, whether it were good  
in point of Creation? It is most proper that the opinion of  
the Lords Cheife Justices should bee had thereupon.

2. That neither the Quo Warranto mentioned to bee  
brought against them, nor the Judgement thereupon were  
such as to cause a dissolution of their Charter.

3. That the misdemeanors objected against them doe con-  
tain sufficient matter to avoid their Patent.

Report ordered. Their Lo<sup>ps</sup> doe hereupon order a Report to bee  
prepared, reciting all things that are past, from the first set-  
tlement

tlement of New England; the several Encroachments and Injurys which the Colony of the Massachusetts hath continually practiced vpon their Neighbors, and their contempts and neglects of His Ma<sup>y</sup>'s Commands; and will likewise offer their opinions that a Quo Warranto bee brought against their Charter and new Laws framed instead of such as are repugnant to the Laws of England.

M<sup>r</sup>. Randolph. Their Lo<sup>ps</sup> agree to recommend M<sup>r</sup>. Randolph vnto my Lord Treasurer for a favorable issue of his pretensions to bee imployed as Collector of His Ma<sup>ties</sup> Customes in New-England, in consideration of his zeal and capacity to serve His Ma<sup>y</sup> therein.

Mem<sup>dum</sup> my Lord Treasurer, having received  
Collector of Customs. a letter to this effect, acquainted His Ma<sup>y</sup> in Council therewith. Whereupon His Ma<sup>tie</sup> declared his approbation of M<sup>r</sup>. Randolph for the Imployment of Collector and directed a Commission to bee issued forth vnto him accordingly.

REPORT OF Y<sup>r</sup> ATORNEY & SOLICIT<sup>r</sup> GEN<sup>ll</sup> CONCERNING  
 THE MASSACHUS<sup>ts</sup> CHARTER & Y<sup>r</sup> QUO  
 WARR<sup>to</sup> THEREUPON.

*State Papers, Colonial, Bundle 52 (146), 16 May, 1678.*

1. The first matter propounded to vs being Whether the Patent of 4<sup>th</sup> of King Charles the First were, in point of creation, a good Patent, Wee doe find that His Ma<sup>ties</sup> Two Cheife Iustices, vpon hearing Council on both sides, have given their opinion vnto your Lo<sup>ps</sup> that the said Patent was good in point of Creation, notwithstanding the Objection  
 that

that the Patent to the Council of Plimouth was then in being. And although it is represented to vs that the case was not truly stated to them; yet it being vpon hearing of Council and Parties, wee humbly submit it to your Lo<sup>ps</sup>, Whether it can bee satisfactory to yo<sup>r</sup> Lord<sup>ps</sup>, or the Parties, to have our opinion; or rather whether the Case should not bee truly stated to the same Cheife Justices, to have their opinion thereupon.

2. Vpon view of a copie of y<sup>e</sup> Record of the Quo Warranto, Wee find that neither y<sup>e</sup> Quo Warranto was foe brought, nor the Judgement thereupon foe given, as could cause a dissolution of y<sup>e</sup> said Charter.

3. As to the Misdemeanors objected against the Corporation of the Massachusetts-Bay in New England in managing their Patent, Wee are of opinion that if the same can bee proved to bee true, and that they were cōmitted since the Act of Oblivion, they doe containe sufficient matter to avoid the Patent, but that cannot bee otherwise done than by a Quo Warranto, &c.

Wi: JONES.

FFRA: WINNINGTON.

Read May 16: 1678:

REPORT TO MY L<sup>d</sup> TRESURER CONCERNING M<sup>r</sup> RANDOLPH.

*State Papers, Colonial, Bundle 52 (148), 16 May, 1678.*

After our very hearty Commendations to yo<sup>r</sup> Lordship. Wee have received a petition from M<sup>r</sup> Randolph setting forth his Services in New-England, and intreating Our favourable recommendation on account of his pretensions depending before yo<sup>r</sup> Lordship to be imployed as Collector  
of

of his Maj<sup>ty</sup> Customs at Boston. Wee must needs declare unto yo<sup>r</sup> Lordship that if ever Wee shalbe able (as wee are now earnestly endeavoring) to lay before his Maj<sup>ty</sup> a full and perfect Narrative of the condition of New England, and what may conduce to his Maj<sup>ty</sup> Royal service in the settlement of that great Affaire, Wee have had more light and information from M<sup>r</sup> Randolph, then from any person else and he hath at all times attended Our meetings in this matter, Soe that Wee cannot but acquaint yo<sup>r</sup> Lordship of the very good opinion wee have of his zeal and capacity to serve his Maj<sup>ty</sup> in that Employment, if yo<sup>r</sup> Lordship shall soe think fitt, and accordingly Wee recommend him to yo<sup>r</sup> Lordships favour, bidding yo<sup>r</sup> Lordship very heartily farewell. From the Councill Chamber at Whitehall this 16<sup>th</sup> day of May 1678.

Yo<sup>r</sup> Lordships very loving Freinds

MONMOUTH

WORCESTER

J BRIDGWATER

ESSEX

NORTHAMPTON

CRAVEN

H LONDON

FAUCONBERG

J ERNLE

H COVENTRY

ROBERT SOUTHWELL.

For the Right honorable our very good Lord  
the Earl of Danby Lord high Treasurer of England.

ANSWER

ANSWER TO RANDOLPH'S NARRATIVE BY AGENTS OF NEW  
ENGLAND.

*State Papers, Colonial, Bundle 52 (152), 28 June, 1678.*

To the R<sup>t</sup> Hon<sup>ble</sup> the Lords of his Ma<sup>ty</sup> most Hon<sup>ble</sup> Privy  
Councill, appoynted a Cōmittee for Trade & Plantations.

In Answer to M<sup>r</sup> Randolphs Narrative of the state of New  
England especially as it concerns his Ma<sup>ty</sup> Colony of the  
Massachusetts Bay there, William Stoughton & Peter  
Bulkeley Agents for the sayd Colony humbly offer.

First in the generall, that M<sup>r</sup> Randolphs stay in New  
England was so short, his small acquaintance there so par-  
tiall, his prejudices wherewith he came prepossessed against  
persons & things so great, that it cannot well be thought he  
should attain unto that truth & certainty of Information  
w<sup>ch</sup> ought to be in matters of such moment, especially when  
designed to be so high a charge against so many of his Ma<sup>ty</sup>  
subjects & the Government there established. And therefore  
the sayd Agents are humbly confident, that untill M<sup>r</sup> Ran-  
dolph make out some other proof then the bare subscribing  
of his name to his Papers, they will not have that influence  
& effect which he may ayme at & hope for by them.

And whereas M<sup>r</sup> Randolph did himself draw forth &  
exhibit to his Ma<sup>ty</sup> & yo<sup>r</sup> Lord<sup>shps</sup> the principall matters of  
his Informations against the sayd Colony in severall distinct  
Articles, a good while since, unto w<sup>ch</sup> by yo<sup>r</sup> Lord<sup>shps</sup> direc-  
tion & cōmand, the sayd Agents have already given in their  
Answer, They now humbly say that unto the substance of  
those their Answers they have nothing further to add.

Omitting



Omitting therefore things formerly spoken to, & severall other not so materiall, or concerning w<sup>ch</sup> they have not due information, they crave the favour of giving in some principall Instances only of M<sup>r</sup> Randolphs great mistakes & invidious misrepresentation of things, as may appear by the Animadversions following.

1. M<sup>r</sup> Randolph affirms that no person that hath been a Magistrate the year before, is to be left out at the New Election.

The ffreemen have liberty by the Charter to nominate, & upon the dayes of Election to choose or leave out whome they please. As at the Election immediately before M<sup>r</sup> Randolphs arrivall they did leave out one of the Eldest Magistrates, & formerly have done the like.

2. He affirms that no person is to be admitted a freeman of the Colony but church members in full cōmunion.

By Charter the Govern<sup>r</sup> & Company have granted to them full & absolute power to admit what ffreemen they see good, without any limitation. Yet by an expresse Law made severall yeares since, others besides churchmembers are capacitated to be made ffreemen, upon which law severall considerable persons have been admitted, & any others may be from tyme to tyme, if they please to offer themselves.

3. He affirms that the Governor & Magistrates at all Courts, Meetings & Assemblies have a publick Table kept for them.

At all meetings of the Generall Court, Court of Assistants & Councill (w<sup>ch</sup> take up many weekes of the year,  
&

& during the late warre, were almost perpetuall) & at all other publick meetings of the magistrates saving County Courts only, each Magistrate defrayes all his owne charges of travaile & attendance whatsoever, except for passage over publick fferries.

4. He sayth that in the year 1652 the Massachusets Erected themselves into a free-state; Enlarged their Dominions, Subjected the Adjacent Colonies under their obedience, & summoned Deputies to sit in the Generall Court.

The Massachusets Colony never had any other foundation or forme of govern<sup>t</sup> but w<sup>t</sup> is constituted in the Royall charter of their Incorporation. They never Proclaimed any of the late Powers, or derived Authority from them, as the other Plantations did. They acknowledge his Majesty alone to be their Sovereigne, whome they immediately Proclaimed upon his happy Restauration. In allegiance unto him & under his Royall Protection they desire to be continued. And as for the year 1652 there was no alteration then made in the Govern<sup>t</sup> or new Constitution in respect of Deputies, nor subduing of Adjacent Colonies. Onely, whereas the Townes between Merrimack & Piscataqua River had then for ten years together prospered under the Govern<sup>t</sup> of the Massachusets; In this year of (52) the Inhabitants & Plantations also beyond Piscataqua River, being destitute of Govern<sup>t</sup> & almost ruined for want thereof, were taken in as members of the same Colony; which was done with their own generall satisfaction, & by virtue of the Northern Boundline further carried on according to that interpretation of the words of the

Charter which was then thought agreeable to the true fence thereof.

5. He represents that the Lawes & ordinances of the Massachusetts Colony are no longer observed then as they stand with their convenience, the Magistrates not so strictly minding the letter of the Law, where their publick interest is concerned; in all cases more regarding the quality & affections of the persons to their Government, then the nature of the offence. They see no evill in a Church member, & therefore it is very difficult to get any sentence or verdict against them, though in the smallest matter.

This with many the like is an evident manifestation, how full m<sup>r</sup> Randolph is of a rooted prejudice & an unequall unjust disposition towards the Govern<sup>t</sup> there, And contains in it a notorious falsehood & calumny: for as he cannot have experience of what is asserted, or other proof to make it good; so the publick Records of the Administration of justice in the severall Courts of that Colony, besides other Innumerable Testimonies, will abundantly disprove him therein.

6. He saith that whosoever shall be in Possession of Land 5 yeares shall have the Land confirmed to him, although the grant was made to another.

If this were so it would be most unjust & oppressive, but it is only his grosse mistake of the Law (to say no worse) as upon view will presently appear.

7. He saith that the number of Church members & ffreemen compared with the rest of the Inhabitants (who are termed the dissenting party) are not above one Sixth part.

That there is such a disproportion between the church members

members & the rest of the Inhabitants, must needs be a very wrong computation, The rest being very inconsiderable as to number, compared with those that are acknowledged Church members, nor was there ever any such nickname, or terme of distinction, between the one & the other, as that of Dissenting Party.

8. He Represents that places of Magistracy & Government are places of great profit & advantage, whereby they grow rich that are in them.

All that know New England will testify the Contrary. Many Gentlemen have spent very good estates there in places of Government, but not any one man to this day hath gained an estate by such publick Service. The continuall Expences of those in the Magistracy are farre beyond any recompence given them as will be evident from their respective Salaries (beside w<sup>ch</sup> they have no other wayes of gaining by their places.) The Govern<sup>r</sup> Salary is not above sixscore pounds per annum, & a Magistrates but thirty five, which sum<sup>s</sup> for the greatest part are not payd in mony, but in the way of the Country, & so will amount unto little more then half so much sterling.

9. He sayth that the Antient Bounds of the Massachusets Colony were not above 20 miles upon the seacoast.

The Antient bounds were ever as large as now they are stated, by the Opinion of the Lords Cheif Justices, & his Ma<sup>ty</sup> Determination in Councill thereupon, & will be found to extend more then thrice as farre.

10. He accuseth the Massachusets that they have taken in severall considerable Townes belonging to Plymouth & Connecticut,

necticot, because having the preheminance in Trade Strength & riches, they take the liberty to clayme as farre as their conveniency or Interest directs, never wanting a pretence of right to any place that is cōmodious for them.

This is like the rest, most untrue & designed to cast reproach; for the stating & running of the Lines between the Massachusets Colony & their Neighbours [<sup>\* sic; were.</sup>] of Plymouth & Connecticut, we \* done to mutuall satisfaction; nor is there at this day any controversy or clayme depending of this kind between the Colonies.

11. He sayth that the Government of Boston was greatly discontented, & murmured, at the delivery up of Nova Scotia to the ffrench without their knowledge or consent, & that they are upon all occasions imposing upon the ffrench.

The Govern<sup>t</sup> of the Massachusets never concerned themselves in the delivering up of Nova Scotia to the ffrench, although had it been his Ma<sup>ty</sup> pleasure, they would much rather have had their fellow-subjects then the french to be their neighbours; but that they have bin imposing upon the ffrench is utterly false.

12. He insinuates as if the cheif causes of the Indian warre did arise from the cariage of the Magistrates of Boston towards the Indians, & in particular affirms that Philip was often sūmoned to appear before the Magistrates, being some time imprisoned, & never released but upō parting w<sup>th</sup> a considerable part of his Lands.

The Indian warre had its sole Rise in the Colony of New Plymouth, & would the Massachusets have stood Neutrall, the cheif of the Indians have often declared they

they would not have given them any disturbance, so farre were they themselves from laying any thing to the charge of the Massachusets. And as for Philip, he was never so much as once summoned by the Magistrates of Boston, nor was there any quarrell between them before the warre broke out. Yea they had often interposed as mediators to make up breaches between Plymouth Colony & him.

13. He accuseth the Massachusets that the Indians have been abundantly furnished from them with store of Armes & Ammunition, to the utter ruin & undoing of many families in the neighbouring Colonies, to enrich some of the Relations of them in Govern<sup>t</sup> & Churchmembers.

There hath been as little liberty if not lesse in y<sup>e</sup> Massachusets Colony y<sup>a</sup> in other Colonies to trade Armes & ammunition w<sup>th</sup> y<sup>e</sup> Indians, who have for many yeares last past been so well supplied from the French & others, that they would frequently sell guns to the English. And for the enriching the Relations of those in Government or of church members in such a way, it is a meer Scandall.

14. He sayth the Praying Indians of Natick Town have been y<sup>e</sup> most barbarous & cruel enemies to the English of any other.

This is most untrue, for though some very few of them have not so closely adhered to the English, yet the rest of them have been upon all occasions very faithfull & exceeding serviceable, as they still continue.

15. He sayth y<sup>e</sup> church members had liberty to stay at home, & not hazard their persons in the warre, while many  
hundreds

hundreds of souldiery & 12 Captains of Loyall principles were slayne.

Church Members together w<sup>th</sup> others were promiscuously sent forth into the warre, & of all y<sup>e</sup> Captains & cheif officers slayn at any tyme the greater part by farre were church members.

16. He sayth y<sup>t</sup> the Massachusets Colony hath not been damnified one third part in the late warre, the great losse falling upon Connecticut & Plymouth Colonies.

Connecticot Colony hath not lost any one Towne, or suffered considerable dāmage in their Cattle or Corne. Plymouth Colony lost not above two or three small villages, whereas the Massachusets, beside w<sup>t</sup> befell beyond Piscataqua River, had seaven of their Plantations utterly destroyed, & nine or ten more, some of them the one half of them destroyed, others to a lesser proportiō, besides other great depredations & Ruins otherwaies.

17. He saith that no Magistrate payes Taxes, & y<sup>t</sup> Land taxes are payd in mony.

This is a mistake, Magistrates being by law not excused from Taxes, w<sup>ch</sup> are payable in any pay of the Country.

18. He computes the publick revenues of the Colony to be upward of 20000<sup>l</sup> & saith they are disposed of as the Gov<sup>r</sup> & Magistrates thinke fitt, without giving any acco<sup>t</sup> to the Country, by w<sup>ch</sup> meanes whosoever comes into the Magistracy, hath an opportunity of growing rich & advancing their Relations.

Could M<sup>r</sup> Randolph make good this Revenue, w<sup>ch</sup> he speakes of only at randome, the Colony would be more beholding to him then otherwise it is ever likely to be.

But

But the truth is that y<sup>e</sup> standing Revenue of the Colony when at best, hath never yet amounted to 700<sup>l</sup> sterl: per annū, & what this comes short of defraying the charges of the Govern<sup>t</sup> (w<sup>ch</sup> in the whole, cōmunibus annis, before the late warre did never rise to above 1500<sup>l</sup> if so much) is wont to be levied by a Cōmon Tax upon the People. And of this whole income & the expence thereof, there is constantly once a year a full Account given by the Treasurer of the Country to the Generall Court, so that there can be no arbitrary, private or corrupt disposall of any part thereof by the Gov<sup>r</sup> & Magistrates, as is most uncharitably & falsely informed.

19. He asserts that it was generally beleevd there was a great Banke of mony in the Treasury, whereupon occasion being for a present supply to carry on the warre, it was desired by severall of the principall Inhabitants, that moneyes might be issued out of the Publick Treasury; but upon Examination it appeared that that stock had been otherwise disposed of, & not one penny found.

By such Relations as these any one may see from what Informers M<sup>r</sup> Randolph tooke his account of matters, & how likely he is to give in a true & impartiall one, there being no man of cōmon fence or honesty in the Country that will ever be found to have had such a beleeif, the contrary whereto is so generally known, And that upon making up of the yearly Accounts this Country is most cōmonly indebted to the Treasurer & not the Treasurer to the Country.

20. He declares that the People generally groan under  
the



the yoke of the present Govern<sup>t</sup> & are in dayly hopes & expectation of a change, & that without the settlem<sup>t</sup> of a Generall Govern<sup>t</sup> over the whole Country it is feared civill warrs will in a short tyme breake out between the Colonies, the Massachusets dayly imposing & incroaching on their Neighbours.

It is true that M<sup>r</sup> Randolph made it his buisnesse wherever he came, to disaffect the people as much as he could to his Ma<sup>y</sup> Government there Establihed, assuring them of the speedy change thereof & encouraging some not to pay their duties toward publick charges, whereby many feares & disquietments are still abiding in the minds of his Ma<sup>y</sup> peaceable & Loyall subjects, who are generally throughout the Country (some few discontented persons excepted, w<sup>ch</sup> no Govern<sup>t</sup> can be totally freed of) earnestly desirous to have the present Govern<sup>t</sup> by his Ma<sup>y</sup> grace & favour encouraged & continued; the truth whereof, as it would upon any tryall made more fully appear, so it is in particular evident from the late Adresses of the Inhabitants of the foure Townes presented to his Ma<sup>ty</sup>. And for the feares he insinuates of civill warrs between the Colonies, there did never yet appear any ground for such an apprehension, but a freindly mutuall correspondence hath been & yet is maintained amongst them.

21. He sayth that the Clergy are kept in subjection by Ruling Elders, who govern all affaires of the Church.

There are not at present above six or seaven such Elders in the whole Colony, who in the churches to which they belong doe assist the ministers in the affaires & Govern<sup>t</sup>  
of

of the church, but are farre from keeping them in Subjection.

22. He relates that one M<sup>r</sup> Thomas Graves was put by his fellowship in the Colledge by the late President D<sup>r</sup> Hoar because he would not renounce the Church of England.

D<sup>r</sup> Hoar hath been dead severall yeares, & so cannot make answer for himsele; but the perswasion of the people of New England being publickly known, it may not be thought strange that they should not be willing to have their children publickly Instructed by such as are of Contrary principles: but the truth is M<sup>r</sup> Graves was never turned out of any fellowship, for having been many yeares a fellow with good acceptance, he voluntarily quitted his fellowship, intending other imployment.

23. He accuseth the Government that they have suffered severall persons in the Province of Maine to be ruined by the Indians for having expressed their duty towards his Ma<sup>ty</sup>

It hath already cost the Massachusets to defend the Inhabitants of this Province neer 8000<sup>l</sup>, besides many lives. And the care for their preservation hath been equally extended to every place & family, as much as their remotenesse, scatterednesse & other unavoydable circumstances would permit. And it is notoriously false that any person, upon any account, much lesse of dutifullnesse to his Ma<sup>ty</sup> hath been suffered to be ruined.

24. He reports severall expressions of dislike used by Major Winslow Govern<sup>r</sup> of New Plymouth as to the Actings of the Magistrates of Boston, & that in particular he did manifest a desire of & readynesse in their Colony & that of Connecticut, to close with a change of Govern<sup>t</sup>

Vpon notice & fight of what m<sup>r</sup> Randolph had Reported of him, Major Winslow hath declared That he being enquired of by M<sup>r</sup> Randolph concerning the Massachusets Colony & their cariage towards the neighbour Colonies, he made him answer, that the Massachusets had caryed it fairly & neighbourly, & as became brethren & fellow subjects; And further that he never made it his designe nor thought it their interest to desire a change of Govern<sup>t</sup> in one or other Colony, whilst God & the King were pleased to favour them with their present Priviledges.

25. He sets forth the Coppy of a Petition made to the Generall Court & subscribed by upward of an hundred hands of the principall Inhabitants, for w<sup>ch</sup> they have been styled betrayers of the liberties of the Colony & have suffered in their Estates, & not been admitted into any offices of Govern<sup>t</sup> or choyce of Magistrates.

Had the abovesaid Agents known of any f. . . as this before their coming over, they might have been furnished w<sup>th</sup> an answer thereunto, w<sup>ch</sup> now they are not, in regard they were not at the tyme supposed concerned in any of the tranſactions of Govern<sup>t</sup> But they have little reason to give credit to M<sup>r</sup> Randolphs relation of this buisnesse. And positively they doe affirme, that no persons have been sufferers in their estates or denied the priviledge of choosung Magistrates upon the account by m<sup>r</sup> Randolph mentioned. In particular those two persons by him named to yo<sup>r</sup> Lord<sup>sh</sup> as the cheife of these petitioners, are & have long been intrusted in as considerable places of publick service as any other persons

sons that are not chosen Magistrates, as these also might have been, but that they still wanted a sufficient number of the votes of the freemen upon daies of Election.

[*Endorsed*] Answer to some parts of M<sup>r</sup> Randolphs Narrative, given to mee by the Agents of New England 28 June 1678.

INSTRUCTIONS FROM THE COMMISSIONERS FOR MANAGEING,  
LEAVYING, AND CAUSEING TO BE COLLECTED HIS MA<sup>TIES</sup>  
CUSTOMES, SUBSIDIES, AND OTHER DUTIES IN ENGLAND,  
TO EDWARD RANDOLPH, ESQ<sup>r</sup>, COLLECTOR, SURUEYOR,  
AND SEARCHER OF HIS MA<sup>TIES</sup> CUSTOMES, IN NEW EN-  
GLAND, IN PURSUANCE OF THE DIRECTION OF THE RIGHT  
HON<sup>BLE</sup> THOMAS, EARLE OF DANBY, LORD HIGH TREAS<sup>UR</sup>  
OF ENGLAND.

*Massachusetts Archives*, Vol. LXI. p. 168, 9 July, 1678.

*First*, — Whereas, in pursuance of an Act of Parliament, made in the 25 year of his Ma<sup>ties</sup> Reign, Entitled An Act of better securing the Plantations' Trades, which we herewith deliuer to you, — we have deputed you to be Collector, Suruey<sup>r</sup> and Searcher of all the Rates, Duties, and Impoficins ariseing, and growing due to his Ma<sup>tie</sup>, by Vertue of the said Act, in his Ma<sup>ties</sup> Colonye of New England, (That is to say) The Massachusetts' Colonye, Plym<sup>o</sup> Colony, Connecticut Colony, Road Island, the Prouinces of Mayne, and New Hampshire, and all other his Ma<sup>s</sup> Colonyes, and Islands in New England, w<sup>ch</sup> you are by the best wayes and meanes, you can to leavy and collect according to the Tenour of the said Act. And because the said Act hath settled the Collection of the said Duties under such penalties as by feuerall  
Lawes

Lawes are inflicted for non-payment off, or defrauding his Ma<sup>ty</sup> of his Customes in England, We do therefore deliuer to you a book of Rates, wherein are the principall Lawes relating to the management of the Customes in England, and the plantacon Trade; vid<sup>l</sup>, The Act of Toñage and Poundage, the Act of Navigacon, The Act for preuenting frauds, The Act for Encouragement of Trade, and the Act for better Regulating the plantacon trade, and the said Act for better securing the plantacon trade; And you are to conforme your Selfe to the feuerall Rules for managing the Customes according to the said Lawes, in all things wherein the same may be practicable with you, And to informe us, or the Com<sup>rs</sup> of his Ma<sup>ty</sup> Customes in England for the time being, what power, authoritie, or direction may be further necessary for the carrying on this his Ma<sup>ty</sup> seruice in the said Colonys.

2. You are before your goeing out of England, to take the oaths of allegiance and supremacy before one of the Barons of the Excheq<sup>r</sup>, or the Lord Mayor of Lond<sup>n</sup>, and the usuall Oath for the faythful Execution of your office before us.

3. Haveing soe done you are forthwith to Repaire to the said Colonye in New England, and to settle your vsuall Residence in the Port of Boston, in Massachusetts Colonye.

4. You are to appoint one Deputy att least in each of the aforemenconed Colonyes by Commission under your hand and Seale, and for whom you will be answerable; who are to take the vsuall oaths for the faythfull Execution of their employments before the Gouvern<sup>r</sup>, or deputy Gouvern<sup>r</sup>, of such Colonye, respectively, before they enter upon the same, and then

then you are to furnish them with Copyes of yo<sup>r</sup> Instructions and some of the foremenconed Acts for their better informacon and guidance in the pformance of their Duties.

5. You are to take care that noe Ship do trade in his Ma<sup>ty</sup> Colonyes in New England, but such as are by law pmitted to trade there, And you are to take care that all Ships and Veffells which by law may trade in any of his Plantacons that shall desire to ship and take on board any of the Plantacon Comodities enumerated in the aforefaid Act of the 25 yeare of the King, do not lade the same vntill it appears to you or your Deputy, that such Ship has given bond for the carrying the same to England, Wales, or Berwick only, or to England, Wales, or Berwick or to some other of his Ma<sup>ties</sup> Plantacons, and in Case her bond be to carry the same to England, Wales or Berwick, or to some other of his Ma<sup>ties</sup> Plantacons, in such case you are dilligently to examine whether she take in any Tobacco of the growth of New England, as also in Case she take in any Tobaccoe or other of the enumerated Goods w<sup>ch</sup> had not paid his Ma<sup>ties</sup> Customes att the Plantacon, from whence the same came, to collect his Ma<sup>ties</sup> Duties for the same, according to the said Act of the 25 yeare of the King, And you are further to take care that before they take in any part of these sorts of Goods they make entry of the Ship with you or your Deputy, and also before their clearing, make Report upon Oath of the contents of their Lading as to these sorts of Goods, both as to quantity and quality, to the best of their knowledge with the names of the merchants that laded the same, And if any ship shall take in any of the said sorts of Goods chargeable w<sup>th</sup> the Duties aforefaid, before such entries

tries made as aforesaid, the Ma<sup>r</sup> thereof is lyable to the penalty of One hundred pounds according to the Act for preventing frauds, and the Stat. made the first of Eliz. Chap. 11<sup>th</sup>. And, moreover, in case any such Ship shall take in any Goods chargeable w<sup>th</sup> the Duties Imposed by the said Act of the 25 yeare of the King before bond given as aforesaid, you are to make seizure of the said Ship and Goods, and proceed against the same according to Lawe.

6. In case any ship w<sup>ch</sup> by lawe may trade in any of his Ma<sup>ties</sup> Plantacons, shall ariue in any of his Ma<sup>ties</sup> Colonyes in New England, with any of the said sorts of goods of the growth of any of his Ma<sup>ties</sup> Colonyes, you are carefully to examine whether such ship had before lading, given bond according to law, and in case she had given noe bond, then *you* are to make seizure of her and her Lading according to law, and if it appeares she has given bond, you are to examine whither such bond was to come to England, Wales, or Berwick only, or to goe to England, Wales, or Berwick, or to some other of his Ma<sup>ties</sup> Plantacons, (formes of w<sup>ch</sup> Bonds will be herewith deliuered to you), and, in case her bond was given to come to England, Wales, or Berwick only, you are to forbid her to unload with you; And in case, (notwithstanding thereof) she shall putt any of the said goods on shoare, you are to keepe an exact accompt and take good proof upon oath, of the quantities and quallities of the said goods put on Shoare, and transmitt the same to us, that we may take care for the suing and recovering the penalty and forfeiture of the bond giuen for such ship; and in case such bond was giuen in any of his Ma<sup>ties</sup> Plantacons, you are also with the first conveniency to giue notice, and the  
proof

proof thereof to the Governour of such Plantacon and our Collect<sup>r</sup> there, that they may take care for the speedy putting such bond in suit; but if her bond was to come to England, Wales, or Berwick, or to some of his Ma<sup>ties</sup> Plantacons in such case, you are to pmit her to vnlade, examining the Certificates from our officers, in the places where she laded, whereby to satisfy y<sup>r</sup> selfe, that his Ma<sup>ties</sup> Duties were payd for the same, according to the aforefaid Act of the 25 year of the King, And in case it shall appeare that such ship hath any of the said sorts of Goods for w<sup>ch</sup> his Majestie's customes are not payd, you are to make seizure thereof, according to the Lawes and Rules for collecting his Ma<sup>ties</sup> Customes in England.

7. You are to take notice, that the payment of the respective Rates Imposed by the Act of the 25 year of the King, upon the severall plantacon Commodities therein named, that shall be shipped or laden on board any Ship or Vessel, (for w<sup>ch</sup> bond shall not be first giuen, to bring the same to England, Wales, or Berwick only), doth not giue liberty to carry the same afterwards to any other place, then to some of his Ma<sup>ties</sup> plantacons, or to England, Wales, or Berwik, and that notwithstanding the payment of the said Duties, they are to giue bond to carry all the said Goods to England, Wales, or Berwick, or to some of his Ma<sup>ties</sup> Plantacons, and not to be pmitted to be laden untill such bond giuen as is directed in the next preceding Instruction.

8. And because there is noe Duty imposed by the said Act upon such Ships, for w<sup>ch</sup> bond shall before lading be given to come to England, Wales, or Berwick only, you are to take especiall care that none of the said Goods w<sup>ch</sup> shall be p<sup>r</sup>tended



pretended for any of the shipping bound to England, Wales, or Berwick, be under that colour stollen on board ships bound elsewhere, that haue not given bond as aforefaid, and soe evade the Duties chargeable by this Act to w<sup>ch</sup> end it will be necessary not only frequently to Visit all Ships or Vessells w<sup>ch</sup> haue not given bond as aforefaid, to come to England, Wales, or Berwick only, but also where you find it necessary to put men on board such Ships or Vessells, to take an accompt of all Goods laden on board them, and if any of the aforeside sorts of Goods shall be found on board for w<sup>ch</sup> there is noe warrant, you are to seize and prosecute the same according to law.

9. You are to take notice, that if the Duties appointed by the act of the 25 of the King and certified to haue been payd before the said goods were bro' into New England, in such case, there is nothing more to be payd for the same, neither vpon their landing in New England, nor upon their shipping out againe, but in case any thereof shall be shipped out, you are to take care that the ship do first giue sufficient bond with One Surety as aforefaid, to carry the same to England, Wales, or Berwick only, or to England, Wales, or Berwick, or some other of his Ma<sup>ties</sup> Plantacons aforefaid.

10. You are to keep exact accompts of all moneys by you recd, or Goods in lieu thereof, for his Ma<sup>ties</sup> Customes or upon the accompt of seizures and forfeitures of Ships or Goods, and to make pfect Entryes thereof into a booke to be kept for that purpose, with the names of the respective merchants entering the same with the Ships names and their Ma<sup>ties</sup>, and the burthen of the Vessells, and to what place bound, and  
you

you are to take especial care to informe your Selfe rightly the true names of the Vessells and their Ma<sup>n</sup>, because many falacies haue been comitted and frauds practiced by changing their names, and obtruding fictitious names.

11. You are to use youre utmost Endeavour to collect the Duty in money, and not in Goods, and what of necessity you must take in Goods, you are to endeavour to sell to the best advantage, and you are to remitt the money you shall receiue for the said Dutyes, by good bills of exchange or in ready money, to Rich<sup>d</sup> Kent, Esq<sup>r</sup>, his Ma<sup>ties</sup> Receiuer Generall and Casheir of his Customes, or to the Receiuer Gen<sup>l</sup> and Casheir of his Ma<sup>ties</sup> Customes, for the time being, residing in London, and to send Duplicates of all such bills of Exchange to us, And such Goods as you canot dispose off, you are to ship at the best conveniences and cheapest rates, and to consign them to Guy Molefworth, Esq<sup>r</sup>, his Ma<sup>ties</sup> Warehouse keeper in the port of London, or to the Warehouse keeper in the said port, for the time being, and you are to send Duplicates of the Enuoyces of all such Goods.

12. You are at the end of every 6 months, vid<sup>l</sup>, the 25 March, & the 29 of September in every year, to make vp a Gen<sup>l</sup> accompt of all the whole managem<sup>t</sup> of this busines, and by the first opportunity of shipping send the same to vs together w<sup>th</sup> your accompt currant, and the ballance thereof either in money, bills or Goods, directed or consigned as aforesaid, and Duplicates thereof by some other Ship, for fear of miscarriage.

13. And for the further aduantage of his Ma<sup>ties</sup> seruice and Revenue of Customes in this Kingdome, you are to informe your Selfe whether the following Lawes relating to the  
VOL. III. — 4  
plantacon

plantacon trade, as to soe much thereof as is to be pformed within the severall Colonyes of New England, be put in effectuall execution, vid<sup>t</sup>, the Act of Nauigacon made in the 12th year of his Ma<sup>ty</sup> Reigne, The Act for regulating the plantacon trade made in the 22 and 23 yeares of his Ma<sup>ties</sup> Reigne, The Act for Encouragem<sup>t</sup> of trade made in the 15 year of his Ma<sup>ties</sup> Reigne, particularly for all Ships or Vessells that shall proceed to any of the Colonyes of New England from this Kingdome, the Dominion of Wales or Town of Berwick upon Tweed, whether Certificates be produced to the Gouvern<sup>r</sup> of the respective Colonyes, or some person appointed by them to receiue the same from some Custome house of England, Wales, or Berwick, vnder the hands and Seales of the custome or patent Collector and Compt<sup>r</sup> or their Deputies, or the hand of the Comission Collector, or his Deputy, or two of them, that such Ship or Vessell hath giuen bond according to law in the Port from whence she sayled, that in case she shall lade any of the Commodities, enumerated by those lawes, the same shall be by such Ship bro<sup>t</sup> to some port of England, Wales, or Berwick, & there put on Shoare, and for such Ships or Vessells w<sup>ch</sup> shall come to your plantacon from any other port or place, w<sup>ch</sup> are by Law pmitted to trade there, whether sufficient bond with One suretie, if giuen to the said Gouen<sup>r</sup>, or whom he appoints to receiue the same w<sup>th</sup> Condicon that such Ship or Vessell shall bring all such of the said Goods or Commodities as she shall lade to England, Wales or Berwick only, or to England, Wales, or Berwick or some other of his Ma<sup>ty</sup> Plantacons, and if contrary here-unto, such Ship shall lade any of the said Commodities before such Certificate produced, or bond  
giuen

giuen as aforeſaid, you are to take care that ſhe be ſeized and proſecuted according to the ſaid Act of Nauigacon, & the Act for regulating the plantacon trade, and you are to uſe your utmoſt Care that the Securities that are taken by the reſpective Gouvern<sup>r</sup> in New England be of ſome ſufficient, able pſons and Inhabitants of that Countrey, and you are not to pmit any Ship to load any of the enumerated Goods in any of his Ma<sup>ties</sup> Colonyes in New England, upon any Certificate of bond haueing been giuen in Ireland, but in that caſe before they lade anye of the ſaid plantacon Comodities they are to giue bond to the Gouvern<sup>r</sup>, or Deputy Gouvern<sup>r</sup> of the reſpective Colonyes of New England, in w<sup>ch</sup> ſuch Ship is w<sup>th</sup> good Security as aforeſaid, And for the better avoyding falſe and counterfeit Certificates, you are to admitt of noe Certificate of any Shipps haueing giuen bond, nor of any Ships haueing diſcharged her Lading in England, Wales, or Berwick, but ſuch as ſhall come to you vnder the hands and ſeales of the Cuſtomer, or Patent Col-lect<sup>r</sup> and Compt<sup>r</sup>, or their Deputies, or the hand of the Comiſſion Col-lect<sup>r</sup>, or his Deputy, or two of them of the port where they gaue bond or unladed reſpectively, we haueing required the ſaid reſpective officers, both in the port of Lond<sup>o</sup>, and the out ports, to Signe and Seale ſuch Certificates accordingly, And we herew<sup>th</sup> Deliuer to you one of each of the Impreſſions for each Colony in New England, for the better detection of ſuch frauds.

14. You are to take notice that altho by the Act of Navi-gacon, the word Ireland is inſerted in the condition of the bond w<sup>th</sup> England, Wales, or Berwick, and pmiſſion thereby given to bring the plantacon Comodities to Ireland as well

as

as England &c: Yet by the Act for better regulating the plantacon trade, the word Ireland is wholly repealed, and the condicon of all such bonds must be to bring their respective Ladings to England, Wales, or Berwick only, or to England, Wales, or Berwick, or some of his Ma<sup>ties</sup> Plantacons.

15. You are carefully to informe y<sup>r</sup> Selfe whether any of the Comodities of the growth, production or manufacture of Europe are Imported into any of the Colonies in New England, other then such as shall be bro<sup>t</sup> directly from this Kingdome, the Dominion of Wales, or Town of Berwick, & in such shipping and soe navigated as by law is directed, except Wines shipped or laden in the Mederas or Westerne Islands or Azores, of the growth of either of them, servants and horses shipped and taken in in Scotland or Ireland of the growth or production thereof respectively in Ships qualified and navigated as aforefaid, And you are to be the more carefull in regard to the ffrench trade, as to the principall Comodities thereof with England is prohibited, and therefore that endeavours will be used to furnish the plantacons therewith by indirect wayes and means, and if any Ship or Vessell shall Import any other Comodities of the growth, production, or manufacture of Europe of w<sup>ch</sup> due proof shall not be made that they were shipped and laden in some port of England, Wales, or Berwick, the same Ship or Vessell, is forfeited with her Guns, Tackle, Apparell, &c.: And also all such European Comodities w<sup>ch</sup> you are to take care be seized and prosecuted according to law and his Ma<sup>ties</sup> Proclamation, pursuant therevnto of the 24 November, in the 27 Year of his Ma<sup>ties</sup> Reigne, (copy whereof we herew<sup>th</sup> deliver  
to

to you), And you are to vse yo<sup>r</sup> utmost dilligence that these matters be managed according therevnto, and to giue us notice of any failure therein.

16. And for the preuention of frauds, you are further to informe yo<sup>r</sup> Selfe whether any Ship or Vessell coming to any of the Colonyes in New England, lade or unlade any Comodities whatsoeuer, untill the Ma<sup>r</sup> or Comander thereof shall first haue made known to the Gouvern<sup>r</sup>, or Deputy Gouvern<sup>r</sup> of such Colony, or whom he shall appoint to that purpose, the arivall of such Ship or Vessell, w<sup>th</sup> her name and the name and the s<sup>r</sup>name of the Ma<sup>r</sup>, and have sheued him that she is an English built Vessell, or otherwise quallifyed and nauigated as aforesaid, and do deliuer unto him, a true and pfect Inuentory of her lading, together with the place or places where such Goods were taken in.

17. And for the better preuention of Ships trading in his Ma<sup>ties</sup> Colonyes in New England, w<sup>ch</sup> by law ought not to trade there, & for preventing the Importacon of European Goods thither, contrary to law, and also for preuentiong Ships laden with the enumerated plantacon Comodities going to Scotland or Ireland, or any other parts, but to England, Wales, or Berwick, or to some other of his Ma<sup>ties</sup> Plantacons, you are with y<sup>or</sup> Accompt w<sup>ch</sup> you are to send to us every Six months, to transmit to us also an Accompt of each Vessell, that during such six months hath entered Inwards and Outwards in the respectiue Colonyes in New England, according to the forme herewith deliuered to you.

18. In all cafes where bond hath been given by any Ship or Vessell to the Gouvern<sup>r</sup>, or Deputy Gouvern<sup>r</sup>, in any of his Ma<sup>ties</sup> Colonyes in New England. If you can discouer and  
make

make proof that any such Ship or Vessell hath discharged her Lading contrary to her bond, or that a convenient time hath passed in expectacon of the returne of a Certificate, after unlading, according to tenor of her bond, and that noe Certificate is returned, you are to take care that the bond be put in proceſs, and if a Certificate be produced, *you* are well and carefully to examine such Certificate as aforeſaid.

19. You ſhall, after Lady Day in every year, giue us an Accompt what Commodities and Manufacture are rayſed and made in his Ma<sup>ties</sup> ſeuerall Colonyes in New England, and what Ships and Vessells do belong to each of the ſaid Colonyes, w<sup>th</sup> their reſpective burthens, and to what Townes or places they belong, and what nature, vid<sup>t</sup>, whether Ships, Pinckes, Ketches, &c. : broad ſternes or narrow ſtearnes, fore-castle or noe fore-castle, Engliſh built or forreigne built, and what trade or trades to ſea, are principally driven in each of the ſaid Colonyes.

ED. DERING

CH. CHEYNE

G. DOWNING

JOHN [WEBSTER?]

Cuſtome Houſe, Lond<sup>o</sup>, }  
9th July, 1678 }

EDWARD RANDOLPH TO [WILLIAM STOUGHTON?]

*Maſſachuſetts Hiſtorical Society Collections, Sixth Series, vol. iii., p 457.*

July 18<sup>th</sup> 1678

S<sup>r</sup>, — The incloſed is a copy of a petition delivered in to y<sup>e</sup> Councill yeſterday by the agents of Warwick. It is ordered thereupon that a copy thereof be ſent to y<sup>e</sup> Boſton agents

agents and that they answer to as much as concerns their government. I am taking out one order for one of y<sup>e</sup> petitions & thought to have got them both in one order, but must have 2 distinct orders for y<sup>e</sup> petitions, which will be refer'd to the determination of some judicature in New Eng<sup>d</sup>. I feare therefore that I shall not gett a positive direction from the King as you intended, but feare not but I will gett you into some place of profit & advantage, & am therefore petitioning the King, for the better observation of the lawes of trade, to have all the forts & castles by his comm<sup>rs</sup> putt into the hands of such as I may answer for, & to that end have made a map of the bay of Boston, that the King may see the necessity thereof. W<sup>t</sup> money I lay out in y<sup>r</sup> busines shall account at our next meeting. Pray let me heare from you, but be assured that all those petitions will the sooner bring the whole matter to a determination. Wishing a good voyage & safe arrivall, I am, S<sup>r</sup>.

Yo<sup>r</sup> faithfull freind & ser<sup>t</sup>

E: RANDOLPH.

AGENTS ASKED IF THEY HAVE POWER TO SUE FOR A  
NEW CHARTER.

*State Papers, Colonial Entry Book, 105, p. 261.*

At the Committee of Trade and Plantations  
In the Council-Chamber at Whitehall  
Tuesday the 30<sup>th</sup> of July 1678.

Present: Lord Privy Seale, Earl of Northampton, Earl of Craven, Lord Geo: Berkley, M<sup>r</sup> Sec<sup>re</sup> Coventry, M<sup>r</sup> Sec<sup>r</sup> Williamfon.

Their



Their Lo<sup>ps</sup> having received His Ma<sup>ties</sup> Reference of the  
[sic] 17<sup>th</sup> of July last vpon the Petition of Randal  
 [Randall] Holden and John Green in behalfe of them-  
Warwick in New-Engl<sup>d</sup> selves, and the Inhabitants of the Town of War-  
 wick in New England; complaining of the great  
 calamities they have vndergone, as well by the Violence of  
 the Massachusets, as by the vnjust proceedings of y<sup>e</sup> Com-  
 missioners in awarding to one William Harris of Patuxet  
 the Lands belonging to the Petitioners, and His Ma<sup>ty</sup> having  
 been pleased to Order such part of the said Petition as con-  
 cernes the Massachusets Colony, to bee delivered vnto their  
 Agents here, that they might return their Answer vnto the  
 Committee; their Lo<sup>ps</sup> take the same into their considera-  
Deputies of Warwick. tion, and direct a copie thereof to bee delivered  
 vnto the Men of Warwick (together with a copie  
 of the petiçon of Richard Smith and others referred by an  
 Order of Council of y<sup>e</sup> same date, concerning the Juris-  
 diction of the Narraganset Countrey) who are to make their  
 reply to the Objections contained therein.

And many of their Lo<sup>ps</sup> doe, from these Dissentions among  
 the Colonies, inferr y<sup>e</sup> great necessity there is for  
General Governor. His Ma<sup>ties</sup> to appoint some General Governor, or  
 some Supreme Authority over them.

After which their Lo<sup>ps</sup> being moved at the desire of the  
 Agents of Boston that they might have leave to goe home,  
 the debate of that matter is entred into. And S<sup>r</sup> Robert  
General Report. Southwell gives an account of the Report hee  
 had in hand of the whole matter from the Root, which  
 when ready will enable their Lo<sup>ps</sup> to take final resolutions  
 vpon the whole affair of New England.

The

The Minutes of the 8<sup>th</sup> of April last are likewise read, and the points intimated to the Agents soe long since are argued over again, which confirm many of their Lo<sup>ps</sup> in their opinions, that the Establishment of a General Governor, and of a fit Judicature there, for the Determining of differences, is become altogether necessary.

Whereupon the Agents are called in, and being demanded Agents of Boston. what Answer they had received from their Principals touching the Points intimated to them by the Committee at several times, viz. on the 27<sup>th</sup> of July, and 2<sup>d</sup> of August 1677, they make Answer that the General Court was just rising when their Letters were received in October last, when, nevertheless, the Act of Navigation was there enforced. That the General Court hath since met for th' electing of Officers in May last, but that there is noe full account of what they did, the Small-Pox having then very much interrupted their meeting.

They doe farther say they did always expect to know the full mind of His Ma<sup>ty</sup> in all points, to bee finally signified vnto them by their Lo<sup>ps</sup>

Being likewise asked if they had power to sue for a New New Charter. Charter, for that their Old one was by the Report of M<sup>r</sup> Attorney and M<sup>r</sup> Sollicito<sup>r</sup> General by many transgressions and forfeitures become void (not meaning hereby what original defects it might have) and that therefore standing soe much in need of His Ma<sup>ties</sup> Clemency, they ought to bee very solicitous for His Ma<sup>ties</sup> pardon and such privileges as were fit: They answer that they had not hitherto been acquainted that their Charter was declared void. And that although they had, besides the Coyning of Money, exercised  
Jurisdiction

Jurisdiction on M<sup>r</sup> Gorge's Country, they never did put any Man to death, and that till the Judges did lately determine otherwise, they thought they had liberty foe to doe.

Their Lo<sup>ps</sup> tell them they doe not declare their Charter void, but only intimate to them the condition they are in, that they might dispose themselves to pray of His Ma<sup>tie</sup> what their Case requireth. As one of their Lord<sup>ps</sup> said that they had, vpon kissing His Ma<sup>ties</sup> hand, promised to submit vnto His Ma<sup>tie</sup> in all things. But as to the Agents desiring either leave to goe home or to bee justified in their stay, they are told that if they prepare a Peti<sup>tion</sup> to His Ma<sup>ty</sup> in Council, to that purpose, it will bee intimated to them that their Stay would bee convenient even for their own interest and concernes.

S<sup>r</sup> Robert Southwell is Ordered to make haft with the Great Report. great Report, and to state therein not only the Mismanagem<sup>t</sup> of their powers, but their management without Powers; to state clearly the whole fact from the beginning till this time; and then in a separate paper to collect what at any time their Lo<sup>ps</sup> have proposed for the final Regulation of this matter.

THE ILL TREATMENT THE CHURCH OF ENGLAND RECEIVES  
IN BOSTON.

*State Papers, Colonial, Bundle 53 (174), 15 Jan. 1678.*

Read att Com<sup>tes</sup> 6 Feb. 1678.

To the Kings most Excellent Maj<sup>ty</sup>

The humble Answer of Edward Randolph to his Maj<sup>ties</sup>  
Question in Councill

What

What disadvantage doth arise to persons inhabiting the Massachusetts Colony, who are conformable to the Church of England.

1. They have not the free Exercise of their Religion, being constrained vnder a fine to attend their Congregational meetings as by the Law. p<sup>a</sup> 45, viz. Every person shall duly resort and attend thereunto respectiuey on the Lords days and vpon such publick ffast dayes, and dayes of Thanksgiving as are to be generally observed by apointment of Authority. And if any person within this Jurisdiction shall without Just and necessary cause withdraw himself from the publick ministry of the word, after due means of conviction vsed, he shall forfeit for his absence from every such publick meeting ffue shillings; And all such offences may be heard and determined from time to time by any One or more Magistrates.

2. They are not admitted to be ffreemen nor capable of being elected into the Magistracy as Law pa. 43. viz. That no person being a Member of any Church which shalbe gathered without the approbation of the Magistrates and the said Churches shalbe admitted to the freedome of this Common Wealth.

It is therfore humbly prayed in behalf of his Maj<sup>a</sup> good and loyall Subjects in New England, That in the meane time till his Ma<sup>y</sup> shall haue leifure to consider the further Settlement of that Country, That his Maj<sup>a</sup> pleasure be signified to the Massachusetts and the other Colonies That all persons declaring to the next Magistrate their conformity to the Church of England, having taken the oath of Allegiance (without taking which Oath none to be henceforth capable of

of ffreedome or Magistracy) be forthwith admitted to be ffreemen, and be made capable of being chofen to the Magiftracy and other places of truſt and Command, and to haue an Exemption from the Laws obliging all perfons to come to their Independent and congregational Churches, And that all Miniſters haue ffree liberty to read diuine Service and adminiſter the Sacraments of Baptiſme and the Lords Supper according to the Rights [rites] of the Church of England.

At the Court at Whitehall 15 Jan 1678.

His Maj<sup>ty</sup> in Councill is pleaſed to referr this anſwer to y<sup>e</sup> R<sup>t</sup> hon<sup>ble</sup> the Committee of Trade & plantacons who are to conſider the ſame and Report to his Maj<sup>ty</sup> what their Lo<sup>ps</sup> judg fit to be done therupon.

ROBERT SOUTHWELL.

[*Endorſed*] Anſwer of Ed. Randolph  
concerning the Church of England  
in New England.

#### CONCERNING THE SENDING OF AN ORTHODOX MINISTER TO NEW ENGLAND.

*State Papers, Colonial, Entry Book, 105, p. 295.*

At the Cōmittee of Trade and Plantacons  
In the Council-Chamber at Whitehall  
Thurſday the 6<sup>th</sup> of Feb<sup>ry</sup> 1678.

Preſent: Lord Privy Seale, Duke of Lauderdale, Earl of Bridgewater, Lord Chamberlane, Earl of Effex, Earl of Craven, Earl of Bath, Earl of Aleſbury, L<sup>d</sup> B<sup>p</sup> of London, M<sup>r</sup> Sec<sup>y</sup> Williamſon, M<sup>r</sup> Chancellor of the Exchequer.

New England.  
Petition of  
M<sup>r</sup> Randolph.

The Peticon of Edward Randolph is read,  
praying their Lo<sup>ps</sup> to conſider his Anſwer concerning

cerning the Church of England referred by an Order of Council of the 15<sup>th</sup> of January last, as alsoe to Report in

**Minister.** Council the necessity of sending an Orthodox Minister to New-England. After which the said Answer is read,

**Report.** and agreed to Report that as it is contrary to the motives which heretofore induced His Ma<sup>y</sup> to grant His Royal Charter to such of His subjects as were willing to transport themselves to New-England, that they might there enjoy the liberty of their conscience; and it being likewise provided, by the said Charter, that noe Law should bee there made repugnant to those of England, besides the readinefs

**Minister.** of many loyal Inhabitants to receive such a Minister as might preach and administer the Sacraments according to the rights of the Church of England, their Lo<sup>ps</sup> are of opinion that the Lord Bishop of London bee directed to appoint forthwith some able Minister to goe and reside at Boston in New-England, and to appoint soe many others, from time to time, as the Country shall bee willing to maintain And whereas it appears, by the printed Laws of the Massachusetts-bay, that great discouragements and penalties are laid vpon those who absent themselves from Divine Service as it is now established here,

And that noe person, being a Member of any Church which shall bee gathered without the approbation of the Magistrats, shall bee admitted to the freedom of that Common Wealth, their Lo<sup>ps</sup> will farther advise His Ma<sup>ty</sup> that all persons taking the Oath of Allegiance and joyning themselves with the Congregation of the Minister to bee appointed by the Lord Bishop of London and having obtained a Certificate vnder the hand of the said Minister and three of y<sup>e</sup> said

said Congregation, of their conformity to the Church of England shall bee by His Ma<sup>ty</sup>'s exprefs Orders declared as capable of all freedoms and privileges as any other person whatsoever, and that all penaltys imposed on such persons by reason of y<sup>e</sup><sup>r</sup> absenting or withdrawing themselves from any other public meetings of Divine Service shall bee taken off, and the Laws inflicting the same forthwith repealed.

PROPOSALS ABOUT COLLECTING CUSTOMS.

*State Papers, Colonial, Entry Book 105, p. 312.*

At the Committee of Trade and Plantacons  
In the Council-Chamber at Whitehall  
Saturday the 22<sup>th</sup> Feb: 1678.

Present: Marqueſs of Worcester, Earl of Bridgewater, E:  
Craven, M<sup>r</sup>: Chanc<sup>r</sup> of y<sup>e</sup> Excheq<sup>r</sup>, M<sup>r</sup>: Sec<sup>y</sup> Coventry.

New England. M<sup>r</sup>: Chancellor of the Excheq<sup>r</sup> acquaints the Committee with the desire of my Lord Treafurer, that they  
M<sup>r</sup>: Randolph. would consider a Paper presented to his Lo<sup>p</sup>, by M<sup>r</sup>: Randolph, touching the Customs in New England, and the manner how to defray y<sup>e</sup> Contingent charges in the execution of his place, as Collector and Surveyor of His Ma<sup>ty</sup>'s Customs there; Whereupon M<sup>r</sup>: Randolph being called in, and offering another paper containing several points necessary towards the reducing that people to their due obedience to His Ma<sup>ty</sup>, which hee prays may bee forthwith considered and ordered that thereby hee may bee the better enabled to pursue his Instructions; their Lo<sup>ps</sup> taking notice that Sir Robert Southwell is preparing a General Report touching the past and present State of New England, order  
those

those Papers to bee put into his hands that hee may consider to Report to the Committee what Points are fit immediately to bee agreed for M<sup>r</sup> Randolph's dispatch, and what are more proper to bee reserved for the General Report.

PROPOSALLS AB<sup>t</sup>. Y<sup>e</sup> MASSACHUSETS. [BY RANDOLPH.]

*State Papers, Colonial, Bundle 53 [179], 22 Feb. 1674.*

To the Right Hono<sup>ble</sup> the Lords of the Committee  
of Trade and Plantations.

ffor the better establisshing his Maj<sup>ty</sup> Authority in New England, It is humbly proposed That his Maj<sup>ty</sup> Commands signified in his Royal Letters of June 1662 then sent to the Massachusets Colony and by them vntill this time neglected, be required to be duly observed.

1. That the Number of Magistrates in that Colony be not fewer then Eighteen.

2. That all Lawes repugnant to the Lawes of England be declared void and repealed at the next General Court at Boston, And no Law for the future to be valid and of force amongst them till allowed of and confirmed by his Ma<sup>ty</sup> in Councill.

3. All Inhabitants taking the oath of Allegiance (as directed in his Ma<sup>ty</sup> Letters to that Government of the . . . Aprill last) be therevpon declared ffreemen and accordingly admitted to all the Rights and privileges of ffreemen and that who ever vpon tender made shall refuse taking the said oath vpon such his refusal be ipso facto made vncapable of voting or acting as a ffreeman.



4. ffor the present Security of that Country from fforraigne or Indian invafion vntill his Ma<sup>ty</sup> fhall pleafe to appoint a General Governo<sup>r</sup>. That Jofiah Winslow Efqr (late General of the fforces of the vnited Colonies in the Indian Warre) may be appointed his Maj<sup>ty</sup> Majo<sup>r</sup> General of that whole plantation; That John Winthrop Efqr, Majo<sup>r</sup> Dennifon, Majo<sup>r</sup> Savage, Majo<sup>r</sup> Bradford, Majo<sup>r</sup> Treat, Majo<sup>r</sup> Talcot, Major Shapley, Majo<sup>r</sup> Cranfton, Majo<sup>r</sup> Phillips, Capt<sup>a</sup> Champnoon, Captaine Saltonftall, Capt<sup>a</sup> Holden, Capt<sup>a</sup> Green, Capt<sup>a</sup> Richard Smith and Capt<sup>a</sup> Sanford, be conftituted Deputy Leiwtendants by his Maj<sup>ty</sup> Commiffion to settle the Militia of the Several Colonies, and to giue out Commiffions for the future only in his Maj<sup>ty</sup> Name.

All which is humbly propofed and

Submitted to yo<sup>r</sup> Lordfhips by

EDW<sup>d</sup> RANDOLPH.

Read 22 Feb : 1678.

Referred to S<sup>r</sup> Rob<sup>t</sup> Southwell.

#### RANDOLPH'S PETITION FOR REWARD; &c.

*State Papers, Colonial, Entry Book, 105, p. 316.*

At the Committee of Trade and Plantations

In the Council-Chamber at Whitehall

Munday the 3<sup>d</sup> of March 1678.

Present: Earl of Effex, Earl of Clarendon, Earl of Craven,  
M<sup>r</sup> Chanc<sup>r</sup> of y<sup>e</sup> Excheq<sup>r</sup>

New Engl<sup>d</sup> A Report from S<sup>r</sup> Robert Southwell to their  
Lo<sup>ps</sup> concerning the difpatch of M<sup>r</sup> Randolph to New Eng-  
land is read and approved: together with an Answer to a  
Paper prefented by M<sup>r</sup> Randolph to the Lord Treafurer,  
touching

touching the Customs in New England, and an allowance for y<sup>e</sup> contingent charges of his Office of Collector. Which is thereupon put into the hands of M<sup>r</sup> Chancellor of y<sup>e</sup> Exchequer for the L<sup>d</sup> Treasurer's information.

Vpon reading the Petition of M<sup>r</sup> Randolph praying a Reward for his long attendance on His Ma<sup>y</sup>'s Service in relation to New Engl<sup>d</sup>. It is agreed to Report vnto His Ma<sup>tie</sup>, That his present Salary of one hundred pounds p an<sup>n</sup>i as Collector of the Customs doe commence from the time of his arrivall out of New-England, and bee paid him accordingly out of the Customs. Their Lo<sup>ps</sup> likewise agree to acquaint my Lord Treasurer by letter with the matter of S<sup>r</sup> Robert Southwell's Report as alsoe of the danger in sending over a Collector of the Customs to New England, vntill there bee further progress made for settling that Country.

M<sup>r</sup> Randolph.  
M<sup>y</sup> M<sup>r</sup> Randolph  
arrived here ye  
10th of Sept:  
1676, and his Sal-  
ary as Collector  
became due from  
ye 12th of June  
1678. See that  
the same proposed  
is — 175<sup>l</sup>

S<sup>r</sup> ROB<sup>t</sup> SOUTHWELLS REPORT CONCERNING M<sup>r</sup> RANDOLPH'[S]  
PROPOSALLS.

*State Papers, Colonial, Bundle 53 (180).*

Read 8 March : 1678 :

May it please Yo<sup>r</sup> Lo<sup>ps</sup>

Having, by your Lo<sup>ps</sup> commands, considered the four Articles propofed by M<sup>r</sup> Randolph, on the 22<sup>d</sup> instant, I doe not find that hee, therein, does desire that His Ma<sup>y</sup> should now, by him, send all those Orders for Reformation which were there exprest, though I doubt not but his Bufines would thrive much the better if, on his presenting such Orders, there could any hopes of obedience bee expected thereupon. But

His Ma<sup>ties</sup> Commissioners, who did never attempt foe great Reformatiōs as are there proposed, were yet withstood and defeated in their business. Wherefore, since the whole Case of New England is in preparation for Your Lo<sup>p</sup>'s View, and in order to enable your Lo<sup>m</sup> to give His Ma<sup>y</sup> advice how to steer in all the parts of that great concern, which will require some charge and instruments of consideration to compass the same, I humbly conceive M<sup>r</sup> Randolph must leave the points proposed behind him, that they may bee maturely weighed, as parts of the General Report that are in preparation, least His Ma<sup>y</sup>'s intentions should bee foiled for the want of Authority in M<sup>r</sup> Randolph to support them.

All w<sup>ch</sup> is most humbly submitted.

LETT<sup>r</sup>. FROM THE COMM<sup>tees</sup> TO THE LORD TREAS<sup>r</sup>, TOUCHING  
M<sup>r</sup>. RANDOLPH.

*State Papers, Colonial, Entry Book 60, p. 343, 10 Mar. 1674.*

After Our very hearty commendations vnto your Lo<sup>p</sup> Wee having rece<sup>d</sup> intimation from M<sup>r</sup> Chancellor of the Excheq<sup>r</sup> That yo<sup>r</sup> Lo<sup>p</sup> desired our considera<sup>cion</sup> of a Paper presented by M<sup>r</sup> Randolph containing severall heads which concerned the better execution of his employ<sup>mt</sup> of Collector, Surveyor and Searcher in N : England and how the charges incident to those employ<sup>mt</sup> might be supported otherwise than from His Ma<sup>ties</sup> Excheq<sup>r</sup> and also how the said M<sup>r</sup> Randolph might be armed with authority sufficient to carry him through the Execution of the same Wee haue upon this occasion reflected on what hath happened in New Engl<sup>d</sup> since His Ma<sup>ties</sup> Restoration and do find not only by the  
affronts

affronts and rejection of those Comm<sup>rs</sup> w<sup>ch</sup> His Ma<sup>ty</sup> sent over in 1665, but by the whole current of their behaviour since, That untill His Ma<sup>ty</sup> shall give those His Subjects to understand that hee is solemnly bent upon a generall reformation of the abuses in their Governm<sup>t</sup> Wee cannot hope for any good from the single endeavours of any Officer that may there bee sent, but rather contradiction and disrespect in all that shall bee endeavoured for His Ma<sup>ties</sup> Service if they will but call it an infringem<sup>t</sup> of their Charter Nor can Wee think how any the charges incident to these Employ<sup>ms</sup> could they haue any successfull Execution could bee otherwise supported than from His Ma<sup>ties</sup> Exchequer. Wherefore seeing there is now in preparation such a generall State of that Colony and such expedients to bee offered His Ma<sup>ty</sup> as may bring them to a dependance on His Ma<sup>ties</sup> authority equall to that of other Colonies which Wee think His Ma<sup>ties</sup> steddy resolution may effect. Wee therefore leave it vnto your Lo<sup>ps</sup> consideration, whether it bee not best to suspend the departure of any such Officer vntill there bee a finall resolution taken in this matter. And so Wee bid yo<sup>r</sup> Lo<sup>ps</sup> heartily farewell.

from the Councill Chamber this 10<sup>th</sup> of March 1678.

Your Lo<sup>ps</sup> very loving friends

Effex

Bridgewater

Northampton

Craven

Ailesbury

Sunderland

Clarendon

G. Carteret.

J. Ernle.

R. SOUTHWELL.

AGENTS

## AGENTS RETURN HOME, &amp;c.

*State Papers, Colonial, Entry Book, 106, p. 8.*

[Whitehall. 20 May. 1679.]

Their Lo<sup>ps</sup>, taking into consideration the business of New England. England as it concernes the Colony of the Massachusetts, and finding the Agents, after a long attendance, very impatient to return home, agree to Report vnto His Ma<sup>y</sup>, that such a Letter bee forthwith written to that Colony, as may keep things there in a fair way of amendment, vntil a fitter season shall present to re-assume this whole business, Which letter is to set forth as followeth, viz<sup>t</sup> That, vpon the instance of the Agents, His Ma<sup>y</sup> has consented to their returne, the rather because the prosecution of the Popish Plot had not left a sufficient leasure for a perfect settlement of that Colony, and that neither of these Agents had any Commission concerning those matters, notwithstanding His Ma<sup>y</sup>'s former intimations to that purpose, that therefore His Ma<sup>y</sup> commands them to send over two other persons within six months to bee fully instructed therein.

That it is expected that, by the information of the Agents, that Government would intercede for His Ma<sup>ties</sup> favor.

That His Ma<sup>y</sup> was well satisfied to find that the Inhabitants had soe readily taken the Oath of Allegiance. And that His Ma<sup>y</sup> doth expect that His Letter of the 8<sup>th</sup> of June 1662, bee complied with, soe as that those who desire to serve God in the way of the Church of England bee made capable of Magistracy, and that neither they nor any other  
bee

bee subject to forfeitures or other incapacities for the sake of their Religion.

That there bee noe other distinction in making Freemen than that they bee men of competent Estates ratable at ten shillings, according to the Law of the place, and that they bee alsoe made capable of y<sup>e</sup> Magistracy.

That His Ma<sup>y</sup> thinks fit that the ancient number of eighteen Assistants bee observed according to their Charter.

That none bee admitted to any privilege or Office without taking the Oath of Allegiance And that all Military Commissions and proceedings of Justice may run in His Ma<sup>ties</sup> name.

That they are to abolish all Laws inconsistent with the Acts of Trade and Navigation; for the better observance whereof they are to assist M<sup>r</sup> Randolph in the discharge of his trust.

That His Ma<sup>y</sup> doth take it very ill that, while the complaint of M<sup>r</sup> Gorges was yet vnder consideration, they should presume to purchase His interest in the Province of Maine. And that His Ma<sup>y</sup> was farther informed of their severities vsed to the Inhabitants of that Province.

And that as to that part of New Hampshire lying three miles to y<sup>e</sup> Northward of Merrimack River, His Ma<sup>y</sup> doth not think fit to gratify them with y<sup>e</sup> Government thereof, being resolv'd to take the same into his own Immediate Care, and therefore requiring them to recal all Commissions and Powers of Government setled by them in that Province.

## REPORT APPROVED, WITH CERTAIN AMENDMENTS.

*State Papers, Colonial, Entry Book, 106, p. 21.*

At the Committee of Trade & Plantations  
In the Council-Chamber at Whitehall  
Thursday the 19<sup>th</sup> of June 1679.

Present: Lord President, Lord Chamberlane, Earl of Bridgewater, Earl of Sunderland, Visco<sup>t</sup> Halifax, M<sup>r</sup> Sec<sup>ry</sup> Coventry, M<sup>r</sup> Powle.

*New England.* There is presented vnto their Lo<sup>ps</sup> a Report concerning New England, ordered the 20<sup>th</sup> of May last, which their Lo<sup>ps</sup> approve with these amendments.

1. Where it is said That noe person dissenting from the Congregational way shall be lyable to any incapacity, it is thought fit that Papiests bee excepted.

2. Their Lo<sup>ps</sup> look vpon the presumption of the Massachusetts in buying the Province of Maine while the Complaints of M<sup>r</sup> Gorges were vnder consideration, to bee of such evil consequence that they agree to Report that, vpon reimbursment of what shall appear to have been paid for the same, that Colony bee obliged to make a Surrender of all Deeds and Writings thereof into His Ma<sup>ty</sup>'s hands.

A Report is alsoe read concerning M<sup>r</sup> Randolph, pursuant to a Minute of the 3<sup>d</sup> of March last, wherein their Lo<sup>ps</sup> offer their opinions that M<sup>r</sup> Randolph hath been very serviceable vnto His Ma<sup>ty</sup> both by His Informations concerning New England, and by his long attendance; and that therefore he may have a reward [&c]

[Particulars of  
reward given  
Mar. 3, 1678.]

. . . . .

CONCERNING

CONCERNING RANDOLPH'S SALARY.

*State Papers, Colonial, Entry Book, 60, p. 359.*

At the Council-Chamber at Whitehall  
20<sup>th</sup> June 1679

Present: The King's most Exc<sup>t</sup> Ma<sup>ty</sup> in Councill . . .

Ordr & Report  
for 175li for a  
reward to  
Mr Randolph.  
[Substance of  
Report given  
in meeting of  
June 19th.]

. . . His Ma<sup>ty</sup> being sensible of the good  
services done him by M<sup>r</sup> Randolph both in New  
England and during his attendance here was  
graciously pleased to approve the said Report and to order  
as it is hereby ordered that the R<sup>t</sup> Hon<sup>ble</sup> the Lords Comm<sup>rs</sup>  
of the Treas<sup>ry</sup> do take care that the salary payable unto M<sup>r</sup>  
Randolph as Collector, Surveyor and Searcher of His Ma<sup>ties</sup>  
Customes in New England do commence from the Tenth of  
Septemb<sup>r</sup> 1676 at which time hee arrived here from those  
parts So that hee may receive for a reward of his said  
Services the Summe of 175<sup>li</sup> as Salary due unto him from  
the said Tenth of Septem<sup>r</sup> 1676 untill the 12<sup>th</sup> of June 1678  
from which time hee has been already paid in considera<sup>cion</sup>  
of his said Office in New England

ORDER IN COUNCIL.

*Massachusetts Historical Society Collections, Fourth Series, Vol. II., p. 289.*

At Whitehall, the 20<sup>th</sup> of June, 1679. Present, The King's  
most excellent Majestie.

The Right Hon<sup>ble</sup> the Lords of the Committee  
of Trade and Forreigne Plantacions did this day  
present to his Majestie in Councill a Report in  
the words following,

*Letter to the  
Colony of the  
Massachusetts in  
New England.*

May



May it please your Majestie.

Wee having taken the business of New England, as it concernes the Colony of the Massachusetts, into our Consideration, and finding the present conjuncture is not very favourable for settling and establishing what concerns your Majestie's service there in such method as were to be wish't and towards which worke we haue prepared and are preparing many Materialls now under the care of S<sup>r</sup> Robert Southwell, and finding the Agents, after a long attendance here, very impatient to return home, Wee presume to offer your Ma<sup>tie</sup> for your approbation, such a Draught of a Letter to be writ unto that Colony, as may keep things in a fair and probable way of amendment, untill a fitter season shall present more effectually to reassume the care of this whole matter. And the said Letter is as followeth :

Charles R.

Trusty and well beloved, Wee greet you well. These our letters are to accompany our trusty and well beloved William Stoughton and Peter Bulkley, Esq<sup>r</sup>, your Agents, who having manifested to us great necessity in their domestic concerns to returne back into New England, Wee have graciously consented thereunto, and the rather because, for many months past our Councill hath been taken up in the discovery and prosecution of a popish plott, and yet there appears little prospect of any speedy leaseure for entring upon such regulation in your affaires as is certainly necessary, not only in respect of our dignity but of your owne perfect settlement. But it is very probable that if either your said agents had brought commission to intermeddle in such regulation (which they have disowned) or that you had  
sent

sent such commission after them, when, from time to time, intimations were given them of what wee did expect, and what wee were thereupon willing to grant, neither their stay had been thus long, nor had the matter now been undetermined. Wee must therefore attend a further opportunity for this work and, in order thereunto, our will and pleasure is, that you send out such other fitt person or persons, duly instructed, and send them in six months after the receipt of these our letters, that they may here attend us in the prosecution of the same: For since the Charter, by its frame and contents, was originally to be executed in this kingdome and not in New England, otherwise than by deputation (as is accordingly practised in all other charters of like nature) 'tis not possible to establish that perfect settlement wee so much desire, untill these things are better understood. In the meantime, wee doubt not but the bearers hereof, who have demeaned themselves, during their attendance, with good care and discretion, will, from their owne observations, acquaint you with many important things which may be of such use and advertisement to you that we might well hope to be prevented, by your applications, in what is expected or desired by us, so much it is your interest to propose and intercede for the same; for we are graciously inclined to have all past errors and mistakes forgotten, and that your condition might be so amended as that neither your settlement, or the minds of our good subjects there, should be lyable to be shaken and disquieted upon every complaint. Wee have heard, with satisfaction, of the great readines where-with our good subjects there have lately offered themselves to the taking of the oath of allegiance, which is a clear manifestation

feſtation to us that the unanſwerable defect in that particular was but the fault of a very few in power, who for ſo longe a time obſtructed what the charter and our expreſſe Commands obliged them unto, as will appeare in our gracious letters of the 28<sup>th</sup> of June, in the fourteenth yeare of our reigne; and wee ſhall henceforth expect that there will be a ſuitable obedience in other particulars of the ſaid letter, as namely, in reſpect of freedom and liberty of conſcience, ſo as thoſe that deſire to ſerve God, in the way of the church of England, be not thereby made obnoxious or diſcountenanced from their ſharing in the government, much leſſe that they or any other of our good ſubjects (not being Papiſts) who do not agree in the Congregationall way, be by law ſubjected to fines or forfeitures, or other incapacities, for the ſame; which is a ſeverity to be the more wondered at, whereas liberty of conſcience was made one principall motive for your firſt transportation into thoſe parts; nor do wee think it fitt, that any other diſtinction be obſerved in the making of freemen, than that they be men of competent eſtates, rateable at ten ſhillings, according to the rules of the place, and that ſuch, in their turnes, be alſo capable of the magiſtracy, and all lawes made voyd that obſtruct the ſame. And becauſe wee have not obſerved any fruits or advantage by the diſpenſation granted by us in our ſaid letters of June in the fourteenth year of our reign, whereby the number of aſſiſtants, ſettled by our charter to be eighteen, might be reduced unto the number of tenn, our will and pleaſure is, that the ancient number of eighteen be henceforth obſerved, according to the letter of the charter. And our farther will and pleaſure is, that all perſons coming to any priveledge,  
truſt,

trust, or office in that colony, be first enjoined to take the oath of allegiance, and that all the military commissions as well as the proceedings of justice may run in our royall name. Wee are informed that you have lately made some good provision for observing the acts of trade and navigation, which is well pleasing unto us. And as wee doubt not and do expect that you will abolish all lawes that are repugnant to and inconsistent with the lawes of trade with us, Wee have appointed our trusty and well beloved subject Edward Randolph, Esq; to be our collector, surveyor and searcher, not only for that colony, but for all other our colonies in New England, constituting him, by the broad seal of this our kingdome, to the said employments, and therefore recommending him to your help and assistance in all things that may be requisite in the discharge of his trust.

There is one thing which wee cannot omit to let you know wee are surprized at, which is, that during the time wee had the complaints of Mr. Gorges under our consideration, you should presume, without asking our royall permission, to purchase his interest in the province of Maine, the truth whereof is but lately owned by your said agents, when almost at the same time wee come to heare of some effects of a severe hand layd by you on our subjects there in consequence thereof. And whereas your agents declare you have payd to Mr. Gorges the sume of twelve hundred pounds for the said province, wee do expect, that upon our reimbursement of what it shall appeare you have payd for the same, that there be a surrender of all deeds and writings thereof made into our hands, and that your future agents do bring them over, forasmuch as wee were sometime in treaty for the said  
province

province and do disapprove what you have done therein. And as for that part of the province of New-Hampshire lying three miles northward of Merrimack river, which was granted unto Mr. Mason, and whereof the government remains still vested in us, you are not to expect (according to the desire of your agents) that the same should be annexed to your government, for wee have it under our consideration to establish such method there as may be of most benefit and satisfaction to the people of that place. And therefore our will and pleasure is, that you do recall all commissions granted by you for the governing within that province, which wee do declare to be voyd, and do require that you do in all things for the future conforme yourselves unto the regulation which wee have taken in this behalfe. And so not doubting of your duty and obedience herein, wee bid you farewell. Given at our palace of Hampton-Court the 24th day of July 1679, and in the one and thirtieth year of our reigne.

By his Majesties command,

H. COVENTRY.

His Majestie having taken into consideration the said report is graciously pleased to approve the same, and One of his Majesties Principall Secretaryes of state is hereby authorized and directed to prepare a Letter for his Majesties Royall Signature accordingly.

RANDOLPH'S

RANDOLPH'S DEPARTURE, &c.

*State Papers, Colonial, Entry Book, 106, p. 68.*

At the Committee of Trade & Plantacons  
In the Council-Chamber at Whitehall  
Wednesday the 30<sup>th</sup> of July 1679.

Present: Lord Chancellor, Lord President, Lord Privy  
Seale, Earl of Bridgewater, Earl of Effex, Earl of Halifax,  
Earl of Radnor, Visco: Fauconberg, M: Sec<sup>y</sup> Coventry, M:  
Chanc<sup>r</sup> of y<sup>e</sup> Excheq<sup>r</sup>

. . . . .  
Circular Letters to New-England. . . . . Mem<sup>d</sup> Four Letters to the Governors of  
y<sup>e</sup> respective Colonies in New England were signed  
by the Committee, requiring them to return an account of y<sup>e</sup>  
present State of their Government, vpon the Heads of In-  
quiry enclosed. And the Colony of New Plimouth is par-  
ticularly directed to send a Copie of their Patent.

Mem<sup>dum</sup> On y<sup>e</sup> 9<sup>th</sup> of August a Duplicate of the Letter  
Boston. from y<sup>e</sup> Committee to y<sup>e</sup> Governor of Boston was  
signed and transmitted to the Agents, with His Ma<sup>y</sup>'s letters  
concerning that Government; the other four letters being  
deliverd to M: Randolph.

Mem<sup>d</sup> Their Lo<sup>ps</sup> being inform'd that M: Randolph was  
M: Randolph's Instructions. ready to depart for New England, think fit that  
hee doe observe the Instructions formerly given  
him as far as they sute with the present constitution of affaires  
in those parts.

Mem<sup>d</sup> on the 26<sup>th</sup> of September 1679, a letter is deliverd  
Lre from New Plimouth. by M: Sec<sup>y</sup> Coventry from the General Court of  
New Plimouth to His Ma<sup>y</sup> of y<sup>e</sup> first of July last  
concerning

concerning y<sup>e</sup> Narraganset Country and Mounthope, inclofing the copies of two other letters of the 12<sup>th</sup> of June 1677, from the Governor and General Court concerning the Indian War.

RECEIPT OF RANDOLPH.

*State Papers, Colonial, Bundle 53 (181).*

Received from William Blathwayt Esq<sup>r</sup> These following Lres and papers to be delivered in New England according to the Several Directions.

Four Letters for the Governors of the Four Colonies viz. Connecticut, Rhode Island, New plimouth, and Maffachufets Bay from the Lords of the Committee of Trade and plantations, and one Letter from his Maj<sup>y</sup> to the Governor & Company of the Maffachufets Bay dated the 24<sup>th</sup> of July last.

As also his Maj<sup>s</sup> Picture and his Royal Armes, with a Seal and prefs, and an order of Councill for authenticating the Seal.

4 Commissions for swearing the Govern<sup>r</sup> of the Colonies.  
a Commission for the Govern<sup>r</sup> of N. Hampshire.<sup>1</sup>

Map of Boston Harbor.

Sept. 25. 1679.

ED. RANDOLPH.

[*Endorsed*]

25 Sept. 1679.

Receipt of M<sup>r</sup> Randolph  
for Commissions etc.

To

<sup>1</sup> See *New England Historical and Genealogical Register*, Vol. XXIII. p. 30, for the Commission of Charles II. to Edward Randolph and others to administer an oath to Governor William Leete, of Connecticut, to observe the Acts of Navigation and Trade, dated 26 September, 1679.

TO THE GOV<sup>r</sup> OF N. PLIMOUTH IN ANSW<sup>r</sup> TO ONE OF Y<sup>r</sup>  
I OF JULY.

*State Papers, Colonial, Bundle 53 (151).*

Duplicate.

Whitehall. Septemb<sup>r</sup> 26. 18.  
1679.

S<sup>r</sup>:

His Ma<sup>r</sup> hath Rec<sup>d</sup> y<sup>e</sup> Letter of the first of July from yo<sup>r</sup> felfe and the Councell of New-plymouth and comāndeth me to let you know they are the first hee Rec<sup>d</sup> from you, and is very thankfull to you for the present he never Rec<sup>d</sup> nor the Letters, the Coppys of which you have sent, I am to tell you in his name that hee is very fencible of the dutyfull respects you declare in them, and doth assure you his kindnes and protection shall never bee wanting in perticuler manner to such of his subjects as foe honestly and Conscientiously declare theyr Submission and Obedience to him.

The things required in the Letter are referred to the Comitty of Councell to consider of them, M<sup>r</sup> Randolph who bringeth you this Letter will tell you there was no time to debate them but by the next opportunity you will receive an answer to them. I send you here Inclosed the Order of Councell upon it, I pray receive M<sup>r</sup> Randolph Civilly as a person the King beleeveth very well of and bee assured that I am to you and your reputation S<sup>r</sup>:

A Most faithfull & humble Servant

HENRY COVENTRY.

[*Endorsed*]

26 Sept. 1679.  
From M<sup>r</sup> Coventry  
to M<sup>r</sup> Winflow.

[*Addressed*]



[*Addressed*]

For His Ma<sup>ties</sup> Service.  
 To The Hon<sup>ble</sup> Josiah Winslow Esq<sup>r</sup>  
 Governor of His Ma<sup>ties</sup> Colony of  
 New-Plimouth  
 in New-England.

ABSTRACT OF LETTERS RECEIVED FROM M<sup>r</sup>. RANDOLPH.  
 NEW ENGLAND.

*State Papers, Colonial, Bundle 53 (212).*

4<sup>th</sup> of Jan<sup>y</sup> 1678.

That upon the 30<sup>th</sup> of December last he had del<sup>d</sup> His Ma<sup>ty's</sup> Commission for Setling the Government of New Hampshire together with the Seale and Order of Councill into the hands of the President.

That M<sup>r</sup> Cutts the President is a very just and honest man, cast out of all Publick Employ<sup>mt</sup> by the Government of Boston. That he is an ancient and infirme man.

That the People are afraid that they shall be put under the hands of Strangers.

That the People of Boston murmur at the great expences of their late Agents in England, some say of nigh 4000<sup>l</sup>.

That grievous Complaints are made by the Inhabitants of the Province of Maine who in the late Indian War found more los<sup>s</sup> & mischeif attending them by the Cowardize & inadvertency of their Church-Member-Officers than from the Cruelty of the Indians themselves. The Boston Government have now laid Rates upon the Inhabitants of the Townes of Kittery, Yorke & Wells to above 3000<sup>l</sup>, which they cannot pay having lost almost all by the late War.

That

That He found the People all the way he travelled (except The Colony of New Plym<sup>th</sup>) very much unfetled, contending about lands & Boundaries, Every one supposing He had brought Orders from Court for fetling & confirming their particular Colonies.

That the Government of Boston continue still to collect customs & Coine money.

That there is hardly one child baptized in all the Colony of Rhode Island, None lately in the Province of Maine & few in any other of The Colonies.

That nothing at present will be more welcome to the Generality of the People then His Ma<sup>ties</sup> letter to the Colonies requiring that none be admitted to the Magistracy or freedom but such who do now take the Oath of Allegiance and that their Children be admitted to Baptisme.

That He has discoursed with some of the Inhabitants of The Province of Maine who would in a little time advance so much money as The Bostoners have given for it provided they might be assured of a Governm<sup>t</sup> to be fetled amongst them as it was by Cōmission from M<sup>r</sup> Gorges distinct from any other place.

That there is an absolute necessity of Erecting a Great Councill chosen out of the chiefeſt & beſt of every Colony with a Preſident to which men may appeale from the ſeverall Judicatures of Each Colony elſe They will never be quiet, nor then long till His Ma<sup>ty</sup> ſend over a Generall Govern<sup>r</sup>.

That a Commiſſion for erecting a Court of Admiralty is abſolutely neceſſary in thoſe parts by reaſon of ſeverall Prizes brought in thither. The names of fitt perſons are ſett down in his letter.

6 Jan.

That two Persons in the Cōmission have very much obstructed the execution of it viz. M<sup>r</sup> Waldern & M<sup>r</sup> Martin [~~Ca Barker & Ca Farmer~~] who have misrepresented His Ma<sup>ties</sup> Orders And that therefore it would putt these men to a stand if They might know that they may be putt out when His Ma<sup>y</sup> pleased.

7 Jan.

That Severall Privateers are gone thence to the West Indies & are expected home in a short time which makes the necessity of a Court of Admiralty the more urgent.

That in the Province of New Hampshire The Church Party oppose & abuse the honest Party by false Reports. And that at Boston They endeavor to debauch the Merchants & loyall men telling them that their Trade will be quite taken away.

30 Dec.

That The Inhabitants of the Province of Maine have sent over a Petition to His Ma<sup>y</sup> by Cap<sup>t</sup> Champernoon desiring to be under His Ma<sup>ties</sup> Governm<sup>t</sup> now heavily complaining that They are barter'd & sold from man to man like Slaves in Algiers.

That the People of New Hampshire are in generall highly satisfied with His Ma<sup>ties</sup> Cōmission.

3 Jan 1679. v. P. & A. of T.

That The Merchants of Boston perswade themselves that upon their paying 1<sup>d</sup> p p<sup>d</sup> for Tobacco at Virginia etc. They have liberty to carry it whether They please and will make shortly Proposals to His Ma<sup>y</sup> about Trade.

That

That before he came into The Country it was reported that the Southern Bounds of Boston should be reduced to three miles south of Charles River by which means Severall Townes hope to be under The Governm<sup>t</sup> of New Plym<sup>th</sup>.

That the Govern<sup>r</sup> of Rhod Island has upon receipt of His Ma<sup>ties</sup> letters kept Courts in the Narragansett Country.

That there are Contentions ab<sup>t</sup> Governing that Province by w<sup>ch</sup> means The Inhabitants that would live in quiet are sometimes molested by one Party sometimes by another So that it would be farr more conducing to the Planting that Country if it were a distinct governm<sup>t</sup> by itself It belonging to many gentlemen of good Estates & quality.

That M<sup>r</sup> Richard Smith who formerly petition'd His Ma<sup>y</sup> for Hog Island lying in the Narragansett Country desires His Ma<sup>ties</sup> letter or Order of Councill to have the matter referr'd to the Govern<sup>r</sup> of New Plym<sup>th</sup> and Rhode Island order'd to attend & defend their pretences.

28 Jan.

That Great endeavors had been used to disappoint His Ma<sup>ties</sup> Cōmission The Govern<sup>r</sup> of Boston privately giving all assistance and encouragem<sup>t</sup> to withstand it, promising to defend Their mutinies at The Councill Chamber when Their Agents shall attend His Ma<sup>y</sup>.

That The Presid<sup>t</sup> and Councill had at length taken the Oaths of Allegiance & supremacy and enter'd upon the Execution of His Ma<sup>ties</sup> Cōmission confirming all military & civill Officers till further care should be taken.

[Feb. 1644.]

That after all the Protestat<sup>ions</sup> of Duty and Obedience so often repeated by the Agents of Boston There  
appears

appears nothing less, They now acting as high as ever, The Merchants trading as freely as formerly, No one Ship or parcell of Goods having been seized for irregular trading although They did in 1677 make a second Law to prevent it; And that it is in every man's mouth that they are not Subject to the Laws of England, neither are they of any force till confirmed by their authority.

4<sup>th</sup> Jan. To The L<sup>d</sup> of The Councill.

It is proposd that in all other Colonies as it has been done in that of y<sup>e</sup> Massachusets All magistrates & men in publick office shall take the Oath of Allegiance and none to act or Vote refusing it: And that all men taking the same be admitted to Their freedom and made capable of Magistracy being men of Competent Estates.

Lastly He makes his Request to The Lords for some allowance for his Extraordinary Expences, which are very great in His Ma<sup>ty</sup> Service.

14 Feb. 1679.

S<sup>t</sup> Ed. Andros in his letters from Newyork says

That all continues well & quiet in those parts with hopes of a good Trade that year.

That he intended to go in the Spring to Pemaquid to settle the Governm<sup>t</sup> there as farr as Black Point which was surrendred by the Indians.

That there was no fear of the Indians there but rather y<sup>e</sup> contrary, The french of Canada drawing them too much to their devotion and as many as they can induce to remove to Canada, the consequence whereof may import us much.

By



But you the Agent, S<sup>r</sup>, shee cannot brook;  
 She likes the meate, but can't abide the Cook.  
 Alas shee would haue Caesar haue his Due,  
 But not by such a wicked Hand as you:  
 For an acknowledgement of Right, wee scorne  
 (To pay to our greate Lord a pepper-corne)  
 To baulke the Tearmes of our most Gracious Deed,  
 But would ten thousand times the same exceed.

Some call you Randall — *Rend-all* I you name,  
 Soe you 'l appear before you 've played y<sup>r</sup> Game.  
 He that keeps a Plantacon Custom-house,  
 One year, may bee a man, the next a Moufe.  
 Y<sup>r</sup> Brother *Dyer* hath the Divell played,  
 Made the New-Yorkers at the first affraide,  
 Hee vapoured, swagger'd, hector'd (whoe but hee?)  
 But soon destroyed himself by Villanie.  
 Well might his curfed name with *D* begin  
 Who was a Divell in his hart for Sin,  
 And currantly did pafs, by common Vogue,  
 For the deceitfull<sup>st</sup> Wretch and greate<sup>st</sup> Rogue.  
 By him you 'r furnish't w<sup>th</sup> a fad example —  
 Take heed that those you crush don't on you trample.  
 Wee verily belieue wee are not bound  
 To pay one Mite to you, much less a Pound.  
 If there were need, New England you must know  
 Ffiftey p. cent we 'll on our King bestow,  
 And not begrutch the Offr'ing, shees so ffranck,  
 But hates to pay where shee will haue noe thanke.

Wee

Wee doe presume Secundus Carolus Rex  
Sent you here a Countryes heart to vex.  
Hee giues an Inch of power; you take an Ell.  
Should it be knowne, hee would not like it well.  
If you doe understand y' occupation,  
'T is to keepe acts of trade from violation.  
If Merchants in their traffique will be ffaire,  
You must, Camelion-like, liue on the aire.  
Should they not trade to Holland, Spain and Ffrance,  
Directly you must seeke ffor maintenance.  
The Customs and the ffees will scarce supply  
Belly and back. What's left for's Majesty?  
What you collect won't make you to look bigg:  
With modish nick-nacks, dagger, perriwig;  
A Courtier's garbe too costly you will see  
To be maintained where is noe gift nor ffee.  
Pull downe the mill, rente the ground, you 'll finde  
That very ffew will come to you to grinde,  
Merchants their Corne will alwayes carry there,  
Where the tole's eafy, and the Usage ffaire.  
Wee 'll kneele to the mill-owner, as our Cheife; }  
But doe not like the Miller; he's a theife, }  
And entertaine him not w<sup>th</sup> joy, but Greife. }

When Heauen would Job's signall Patience try,  
He gaue Hell leaue to plott his misery,  
And Act it too, according to it's will,  
With this exception, — don't his body kill.  
Soe Royall Charles is now about to proue  
Our Loyalty, Allegiance, and Loue,

In



In giving Licence to a Publican,  
 To Pinch the purse, but not to hurt the man.  
 Patience raised Job unto the height of ffame,  
 Lett our obedience doe for us the fame.

EDWARD RANDOLPH'S LETTER TO GOVERNOR JOSIAH WINS-  
 LOW, RELATIVE TO HIS PROCEEDINGS AT PISCATAQUA.

*Massachusetts Historical Society Collections, Second Series, Vol. VI. p. 92.*

Boston, January 29, 1679-[80]

Honoured Sir,

I am now returned from Piscataqua, having stayed there from the 27<sup>th</sup> of December last, to the 22<sup>d</sup> of this instant; and all little enough to get that part of the country to accept of his majesty's authority; which proved the more difficult, in regard that several of the new council were obliged, either by their possessing great tracts of land from M<sup>r</sup> Mason, or by being sworn to the government of Boston. At first, only Mr. Cutts, president, and another, accepted, and would proceed; whose resolute instructions brought in the other five, viz. Martin, Vaughan, Danniell, Hufsey, and Waldern very much against the expectation of his party here in this town. This very much startles the government here, who next week have a General Court, which is the reason why I do not wait on you, as I designed, at my return. My letter is pregnant with various news; all which will be useful or welcome. The inclosed, from Crown, came to my hands at Piscataqua: by that you will easily see a necessity of speeding for court. I did not forget to signify your grateful receipt of his majesty's letters; and being indisposed, you  
 desired

desired that nothing might be done about Mount-Hope, till somebody did appear from your colony. Sir, be assured Mr. Crown will be doing, and his interest at court is not small; and considering the necessity there is of renewing your charter, you can never do your colony greater service, than to appear yourself at Whitehall, where you will very well stem his designs. I am received at Boston more like a spy, than one of his majesty's servants. They kept a day of thanks for the return of their agents; but have prepared a welcome for me, by a paper of scandalous verses, all persons taking liberty to abuse me in their discourses, of which I take the more notice, because it so much reflects upon my master, who will not forget it. I know not yet but I may wait upon you to England, intending to be where I may be most serviceable to his majesty's affairs, and assistant to the people of this country. I received, in a letter from Mr. Mason, the following news, that the Parliament was prorogued till the 26th of this instant, January; that the duke and duchess of York, with their children, were returned from Flanders, not to go back again; some say, with instructions to keep his court at Edinburgh or York. Likewise that the difference is reconciled betwixt him and the duke of Monmouth, who is sent for out of Holland. That his majesty and the duke of York received an invitation to dinner, made by the lieutenancy of the city, who came in a great body to Whitehall; the lord-mayor being their mouth, made a very acceptable speech to the king and duke. So that, God assisting, all things look very pleasing at home. Your friends are all well at Salem; where, once a day, we solemnly remembered yourself and lady. I intend, upon

the first vacancy, to wait upon you, having more to communicate than is, at this time, fit to trust to paper. I only add my humble thanks for all and last favours. Your neighbour was too quick for me. I expected him the next morning to carry a letter, and receive a further token of his kindness, which must be deferred till next meeting. Wishing you all health and happiness, I remain, Sir, your assured friend and humble servant,

EDWARD RANDOLPH.

ABSTRACT OF LETTERS FROM M<sup>r</sup>. RANDOLPH.

*State Papers, Colonial, Bundle 53 (208), 5-25 Feb. 1688.*

Boston.

M<sup>r</sup>. Randolph says He expects to do little good to regulate the Trade till he has an Order of Councill that no ship shall pass by the Castle till they have a certificate from Him of their Clearing.

11<sup>th</sup> feb. That it is absolutely necessary to have his authority pass under the Great Seale of England and to have added to his Instructions to erect a Customhouse or office there where all Masters of Ships ought according to y<sup>e</sup> Statute of Q. Eliz. to enter their Ships & Goods and there receive their dispatches.

That if The Comm<sup>r</sup> of y<sup>e</sup> customs write to their Western Plantations abroad & to y<sup>e</sup> Ports in England to prohibite Trade to such Vessels who do not bring a clearing from me or my Dep<sup>ties</sup> in these Colonies It will soon make them comply.

His

His Ma<sup>y</sup> may if he please make short work by bringing a Quo Warranto ag<sup>t</sup> them and then they will beg that on their knees w<sup>ch</sup> now they will not thank His Ma<sup>y</sup> for.

That there are thousands in all parts unbaptized.

That The Generall Court is up, having done nothing, as he hears, as to His Ma<sup>ties</sup> letters.

11 Feb. 1688. He desires that His Cōmission for swearing The Govern<sup>t</sup> of Boston may be restored to him again.

He desires The Lords to give him some extraordinary allowance for his winter Travells.

That The Commission for making him Collector be for life.

He is certainly informed there will be no more Agents sent over.

He is promised by Sufficient Merchants there to deposite Boston. 24 Feb. the money for the purchase of Maine, and upon such terms as it may be for the benefitt of y<sup>e</sup> poor distressed Inhabitants.

That whatever is profess'd at Court by letters or Agents is only to baffle & putt off the evill day.

That There was certainly more difficulty in the Commission of New Hampshire then in a Quo Warranto.

25 Feb. That He might have saved the king ten thousand Pounds of Goods had He but His Instructions under the Great Seale.

That till he has His Ma<sup>ties</sup> Cōmission sent over He can expect to do little.

It were most proper to convince the People by some Publick Act or Printed Declarāon that they are to obey His  
Ma<sup>ties</sup>

Ma<sup>ties</sup> Cōmands without the Sanction of y<sup>e</sup> Boston<sup>r</sup> Witnefs  
The Cōmiſſion under y<sup>e</sup> Great Seale demurr'd upon till  
known whether it did not entrench upon their Charter.

That it would be for His Ma<sup>ties</sup> Service that a Quo War-  
ranto were ſent over or Printed Declarãon That all Perſons  
of Eſtates ratable at 10<sup>s</sup> upon a ſingle rate having taken the  
Oath of Allegiance ſhall be ipſo Facto a Freeman and that  
all ſuch who are already freemen not having ſuch an Eſtate  
be declared no freeman.

He deſires His Commiſſion may be for life.

24 Feb. To y<sup>e</sup>  
Lords. That The Inhabitants of Dover and Portſmouth  
have not taken the Oath of Allegiance as directed  
in His Ma<sup>ties</sup> letter of the 29<sup>th</sup> of Aprill 1678 but were con-  
tinued under the obligations of the Oath of fidelity to that  
Country.

He deſires He may have a Cōmiſſion under The Great  
Seale to putt in Execution the Inſtructions He has received  
from The Comm<sup>r</sup> of His Ma<sup>ties</sup> customs with this Addition,  
That all Maſt<sup>r</sup> of Ships outward & inward bound according  
to y<sup>e</sup> Statute 1<sup>o</sup> Eliz. do enter their Veſſels and produce  
certificates with him or his Deputy at His Office in Boſton  
& that there be directions to the Govern<sup>r</sup> & Magiſtrates here  
to appoint proper places & times when & where Goods  
ſhall be laden and brought aſhoar in y<sup>e</sup> Towns of Boſton &  
Salem.

He humbly deſires a conſiderãon for his extraordinary  
ſervice & expences.

ORDER

ORDER RELATIVE TO EDWARD RANDOLPH AS COLLECTOR.

*Massachusetts Archives*, Vol. LXI. p. 209, 9 March 1678

To the Marshals or Constables of Suffolk, Essex and Middlesex and any of them and their deputyes &c.

Whereas his Majesty hath appointed and constituted Edward Randolph Esq<sup>r</sup> to be Collect<sup>r</sup> Survey<sup>r</sup> and searcher of his Ma<sup>ties</sup> duties, customes and imposicions in New England according to severall acts of plan<sup>t</sup> relating to the trade and navigation of his ma<sup>ties</sup> plantations here, And w<sup>ch</sup> by a Lawe of the Generall Court ought diligently and carefully to be observed Theis are therefore in his ma<sup>ties</sup> name to will and require y<sup>r</sup> and every of y<sup>r</sup> to be ayding and assisting of the said M<sup>r</sup> Randolph in the discharge of his duty and trust committed to him, when hee shall desire or request the same for the seazing of any vessell or goods or securing the same till a tryall att Lawe haue passed on them w<sup>ch</sup> the said M<sup>r</sup> Randolph shall make knowne to y<sup>r</sup> to be according to the said acts forfeited to his ma<sup>tie</sup> o<sup>r</sup> sovraine Lord the King of England and will ingage to respond all costs charge & damage that may be sustayned thereby in case of non condemnacon And hereof y<sup>r</sup> are not to faile. Given und<sup>r</sup> my hand this 9<sup>th</sup> day of March 1679.

Y<sup>r</sup> are also to impresse bootes or sloopes for his ma<sup>ties</sup> service in reference to the businesse afore<sup>d</sup> as y<sup>r</sup> shalbe requested by the 1<sup>st</sup> M<sup>r</sup> Randolph whoe hath ingaged to satisfy all costs and respond all damage etc.

S. B. G. [SIMON BRADSTREET GOV.]<sup>2</sup>  
RANDOLPH

<sup>2</sup> A previous order dated 28 February was directed only to the Marshall of Suffolk County.

## RANDOLPH TO COMMITTEE OF CUSTOMS.

*State Papers, Colonial, Bundle 53 (281).*

Boston June 7. 1680.

Hon<sup>d</sup> S<sup>r</sup>

By all opportunitys I have given an account of my proceedings here, in those papers sent by M<sup>r</sup> Joules about 14 dayes agoe, I enlarged but cannot now send particulars thereof, being taken up in a vexatious Suit about a seizure of the Pink Expectation of Boston 80 tun or thereabouts from Cork in Ireland, as in my Coppy of the 19<sup>th</sup> of May herewith sent is discoursed, all endeavors are used to cast me and gett me in prison, having already been arrested upon an action of 800<sup>li</sup> by Grecian the Master of the Pink: had not the Gov<sup>r</sup> directed the accepting my own bond for my appearance I had then been imprisoned for want of Bail; Every one appearing for me being accounted an Enemy to this Countrey; Severall Ships and Ketches are already arrived and 3 or 4 more expected from Holland, France and Bilbo, which makes them soe much concerned, and endeavour by some meanes either to imprison or force me out of this Towne: at their Court wherein I prosecuted Grecian they would admitt me in noe other capacity than an Informer, tho' I produced my deputation and instructions from your Hon<sup>r</sup>. To-morrow is a nother Court called, I desired the Magistrates to assigne me an Attorney or Sollicitor to assist me in case any matter should arise in the practice of their Courts in which I am not acquainted, but that was denied: I verily expect let me make what defence I can and prove the matter of fact never soe clearly, to be cast; about

a fortnight agoe I placed my Servant at a Warehouse where goods were landed out of a Ketch from Bilbo, but whilst I went for a Martiall to assist in searching, my Serv<sup>t</sup> was sett upon by 4 or 5 persons very much beaten, in the meane time others removed the goods to another place. I made a Deputy in this Towne and Charles Towne, w<sup>ch</sup> as soon as known he was warned with his Family out of doors: by some of their Townes men, who are traders and men in publick Authority in Boston; and all this proceeds as they confesse to me not from any aver<sup>s</sup>ness or dislike to me, but onely because I am come upon such an unwelcome errand soe destructive to their priviledge and interest.

Noe Vessells enter outward bound nor bond given before Loading, soe that the Enumerated Commodities are shipd off to what place and when they please, friday last a Sayler being abused by his Master came and informed me that the Ship James of Londonderry Tho: Browning Master belonging to that place about 80 tun, Square Sternd with a large Carved Image of S<sup>t</sup> James in her stern had loden here 100 hogsheds of tobacco and other Comodityes and was ready to faile. I went to the Gov<sup>r</sup> & enquired whether bond were given before Loading of which the Gov<sup>r</sup> knew nothing, neither had given him a passe, I went with the Martiall & 6 men to seize her, coming up by her side was threatned to be knock'd at head, I returned, told the Gov<sup>r</sup> of it who ordered men to be raised to seize her but before I came where I left her she was towed away by Boston boates. At the same time & place was a Pink of 60 tun riding at an Anchor, loaden with Logwood belonging to one Nicholas Page of this Towne, he gave noe bond pretending he was bound for

New



New found land, and foe got a passe from the Gov: it was ordered that if I went aboard that Pink I should be knock'd at head, and I beleive it, for I have been threatned by Page. This and this onely was the sole reason w<sup>ch</sup> made me foe unwilling to come hither with onely such powers as derived from yo<sup>r</sup> Selves. In all other Colonyes I am treated with great respect whither I intend to goe as well for my Security, as alsoe to settle Deputys. I know not the name of Pages Pink her Masters name is Lud, but they change Names and Masters as often as they please. The James of Londonderry belongs to two Brothers in Londonderry named Tho: and Will Squire: after all this trouble I am verily assured that I have broke the heart of this Irish trade: and for all this am not discouraged, not questioning but by degrees to bring this Country to better order in point of trade. I have not yet received any letters from you If I heare not by Mich I think it best to make a trip home having my Children to take care of and to sollicite the dispatch of such things which may enable me by next Spring to deale in another manner with these lawless traders, who about that time will be returning home. And for his Ma<sup>ty</sup> to write more letters will signify no more then a London-Gazett. The Agents brought over with them his Ma<sup>ties</sup> Letters requiring the Goverment to be aiding & assisting to me (I brought over a Duplicate thereof) with severall other directions and commands tending to the gen<sup>l</sup> peace and well fare of the place; but to noe purpose, the Newes of trouble at home gives encouragement to the faction here who oppose the Gov: as well as my selfe, I have onely hope and my life left w<sup>ch</sup> I am unwilling to expose to the rage of a deluded  
Multitude

Multitude, who under pretence of great priviledge from the King, take liberty to oppose his Royall authority. I send this by M<sup>r</sup> James Bollen Sec<sup>ry</sup> of New Jarfey, not knowing but this may be the last from me, not finding whom to trust with my Letters. He is able from his own observation to informe yo<sup>r</sup> Hon<sup>m</sup> of severall passages the time of his being here. I humbly intreat you to remember me at this distance and beleive I have done and acted as far as I or any man durst act: not but that my power is good, but it is not so beleived here. I know well the cause and the remedy of this Distemper and question not but in a short time to see things here better composed: In the meane time I humbly recommend my selfe and my proceedings to yo<sup>r</sup> Favour and Protection. I hope some of the many Letters I have wrote are come safe to your hands presenting my most humble service to your Hon<sup>m</sup> I am in all Duty

Your most humble & obedient Servant

E RANDOLPH.

[*Endorsed*]

7<sup>th</sup> June 1680.

To The Comm<sup>m</sup>

of y<sup>e</sup> Customs from

M<sup>r</sup> Randolph.

Rec<sup>d</sup> the 10 Aug. 1680.

RANDOLPH TO COMMITTEE OF CUSTOMS.

*State Papers, Colonial, Bundle 53 (283).*

Hon<sup>d</sup> S<sup>m</sup>

Boston June y<sup>e</sup> 9<sup>th</sup> 1680.

This doth advise that yesterday I had a tryall at a Court held in Boston upon a seizure made of the Pink Expectation which arrived here from Cork in Ireland the 14<sup>th</sup> of May

laft. My information was grounded upon a breach of the 15<sup>th</sup> of the King: confifting of 3 parts: (1) That the M<sup>r</sup> did import European goods, etc. viz. 3 bags of Flocks containing 300 weight a peece or thereabouts, 21 truffles (as entred with M<sup>r</sup> Dudley) 3 great chefts 4 great and one fmall trunk, Saddles, hatts and stockings proved fome by one fome by 2 witneffes, but the M<sup>r</sup> being admitted to have an Attorney (tho' I could have no Soliciter affigned by the Court as defired) his Attorney told the Court that I had procured Knights of the Poft etc. thereby to invalid their testimony (2) That the M<sup>r</sup> did not cleere and take in his goods in any port of England (3) That the M<sup>r</sup> did not enter and produce a Certificate and invoice to the Governor as is fufficiently declared in the inclofed paper being a Coppy of what the Gov<sup>r</sup> wrote with his owne hand and was read in open Court. The cheife matter they (that is) the Court did infift upon was, that M<sup>r</sup> Dudley as impowred by the Country was the proper Officer and foe the M<sup>rs</sup> entry with him was a fufficient Entry, and foe they declared to the Jury: A paffenger was produced who made oath that the goods in thofe trunks and chefts were neceffaries belonging to the paffengers; yet were denied to be fhown when defired by my Serv<sup>t</sup> to be opened. That fome of y<sup>e</sup> lawes of trade did not relate to their Country, that they have not been fufficiently publifhed, and that it is very hard a veffell fhould be loft upon fuch niceties befides that the Comm<sup>rs</sup> of the Customs have noe power to depute an Officer to a<sup>ct</sup> in their Country. I produced the 25 of the King, the Attorney fhewed a Certificate of an Entry made at Minhead of 19 packs or truffles and 2 hogfheads of hatts etc. (I was not permitted to perufe that Certificate

Certificate & to compare it with that he left with the Gov<sup>r</sup>) ship'd off for Cork in Ireland about December last upon a small Ketch. This M<sup>r</sup> enters with M<sup>r</sup> Dudley onely to M<sup>r</sup> Spred 21 trusses, soe that those are not the goods mentioned in the permitt indorsed on the back side of that Certificate bearing date December etc: however wright or wrong noe notice was taken of the Gov<sup>n</sup> paper further then to invalide it, by M<sup>r</sup> Danfords saying the Gov<sup>r</sup> as chiefe of the Gen<sup>n</sup> Court by whose power M<sup>r</sup> Dudley did a<sup>c</sup>t, did impower him to take Entryes etc: now Dudleys place is to receive Entryes of such goods as by their own Lawes are directed to pay 1 penny in the pound towards defraying publick Country charges, and noe otherwise, soe that Grecians entring with him was onely to satisfy the Law of the Country, but for all this the Jury consisting of either Merchants or M<sup>n</sup> of Ships leap'd over all, and found for the Defendant.

I expect houely to have my person seized & cast into prison; I know not how to perss any man to be bound for me, & having mett with soe great a losse upon my coming over, am not in a condition to raise soe much money. I have onely one way left, that is to draw a Bill upon Yo<sup>r</sup> Hon<sup>n</sup> (if they will accept it) which I desire may be paid, Except some other course in the meane time be taken to secure my person and liberty till a further determination be had of this matter. I have done nothing but what is agreeable to my instructions, and by the Gov<sup>n</sup> assent, for upon my first speaking to him upon the first arrivall of this Pink he told me he did mistrust the mans bringing over Merchants with him, & desired me upon his not produceing his Certificate to seize the Vessell as by his Warrant.

As

As to the Ketch Industry tobacco loden from Mariland and bound (as by the M<sup>r</sup> Petition appears) to Ireland which I feized in March laft at Piscataqua, I hope care will be taken for an effectuall rehearing by Commiffion or otherwise else the clearest forfeiture that is if tryed by partyes concerned will escape as well as these beleive they have done, which I humbly refer to your Hon<sup>r</sup> Judgment and direction, should not my Bill be accepted but I must to Goale, I shall endure that restraint with all Christian patience, not questioning your assistance in recovering my Liberty and asserting your power and the trust you have been pleased to repose in me, I made an honest man my Deputy Searcher, upon hearing thereof he is warned out of his house, if he can he will come for England.

I have offered to goe aboard 3 or 4 ships & repulsed may I not force my Entry with violence as last weeke when wee went with the Gov<sup>r</sup> Warrant to seize a ship with 100 hogf-heads of tobacco bound for Ireland and another bound with Logwood for Holland, else its impossible to aboard any but empty hulls.

Great care is to be had that noe Vessells pass the Castle till I have visited them and certified the same to the Gov<sup>r</sup> but of that when further power is sent hither upon an assurance of future subjection, having not further at present I humbly take leave and am

Y<sup>r</sup> Hon<sup>r</sup> most humble & obedient Serv<sup>t</sup>

E: RANDOLPH.

[*Endorsed*]

9 June 1680.  
From M<sup>r</sup> Randolph to  
y<sup>r</sup> Comm<sup>r</sup> of the Customs.

Rec<sup>d</sup> the 10 Aug. 1680.

RANDOLPH

RANDOLPH PROPOSES ALL COLONIES TAKE OATH OF  
ALLEGIANCE.

*State Papers, Colonial, Entry Book, 106, p. 169.*

[Whitehall. 27 April 1680]

Vpon reading an Abstract of letters received from M<sup>r</sup> Ran-  
New England. dolf dated in January last from New England,  
and it being therein proposed that all the Colonies [be]  
obliged to take the Oath of Allegiance as that of the Massa-  
chufets had done; their Lo<sup>ps</sup> order the Charters to bee ex-  
amined to see whether His Ma<sup>ty</sup> may lawfully impose that  
Oath vpon them.

ALL COLONIES TO TAKE OATH OF ALLEGIANCE; &c.

*State Papers, Colonial, Entry Book 106, p. 177.*

At y<sup>e</sup> Committee of Trade & Plantations  
In the Council-Chamber at Whitehall  
Munday the 14<sup>th</sup> of June 1680

Present: Lord President, Duke of Albemarle, B<sup>ty</sup> of Lon-  
don, M<sup>r</sup> Sec<sup>ry</sup> Jenkins, Sir T: Chicheley.

New Eng<sup>l</sup> . . . Their Lo<sup>ps</sup> having directed the several  
Patents of New England to bee perused in order to find out  
whether His Ma<sup>ty</sup> may not lawfully enjoyn the Oath of  
Allegiance to bee taken in all y<sup>e</sup> Colonies; and to direct the  
same qualifications for making ffreemen and Magistrats as  
are prescribed by His Ma<sup>ty</sup>'s letter to y<sup>e</sup> Colony of the Massa-  
chufets dated the 27<sup>th</sup> of April 1678. And report being  
made

made to their Lo<sup>ps</sup> that nothing appeared in any Patent to the contrary, and the same being represented by M<sup>r</sup> Randolph as necessary for His Ma<sup>ty</sup>'s service; It is ordered that a Draught of Letters bee prepared to bee presented in Council for His Ma<sup>ty</sup>'s Signature directing the several Colonies to take the Oath of Allegiance and to observe such Rules for the making of ffreemen and Magiftrats as are enjoyned by His Ma<sup>ty</sup>'s last letter to the Massachusets.

Oath of  
Allegiance.

MR. RANDOLPH'S REPRESENTATION OF THE BOSTONEERS,  
1680.

*Collection of Papers*, by Thomas Hutchinson, Prince Society, Vol. II. p. 264.

To the Kings most excellent Majesty,  
The humble representation of Edw. Randolph,  
Humbly sheweth,

That your Majesty was graciously pleased in March 1675-6, to intrust him with your royal letters to the governor of Boston in New-England, and also commanded him, upon several queries, to informe your Majesty of the present state of that government.

In all humble obedience to your Majestyes royall command, he hath reduced his information to these following heads viz;

1. That the Bostoncers have no right either to land or government in any part of New-England, but are usurpers, the inhabitants yielding obedience unto a supposition only of a royal grant from his late Majesty.
2. They have formed themselves into a commonwealth, denying

denying any appeals to England, contrary to other plantations, do not take the oath of allegiance.

3. They have protected the murtherers of your royal father, in contempt of your Majestyes proclamation of the 6th June 1660, and your letter of 28th June 1662.

4. They coyne money of their owne impress.

5. They put your Majestyes subjects to death for religion.

6. In 1665, they did voyalantly oppose your Majestyes commissioners in the settlement of New-Hampshire. In the year 1666, by armed force, turned out your Majestyes justices of peace in the province of Maine in opposition to your Majestyes authority and declaration 10th April 1666.

7. They impose an oath of fidelity upon those that inhabit within their territories to be true and faithful to their government.

8. They violate all the acts of trade and navigation, by which they have ingrossed the greatest part of the West India trade, whereby your Majesty is damnified in the customs £100,000 yearly, and the Kingdom much more.

All of which he is ready to prove.

RANDOLPH'S LETTER OF COMPLAINT READ; &c.

*State Papers, Colonial, Entry Book, 106, p. 188.*

At the Committee of Trade & Plantations  
In the Council-Chamber at Whitehall  
the 6<sup>th</sup> of August 1680

Present: Lord Presid<sup>t</sup>, Lord Privy Seale, Duke of Albemarle, Marquiss of Worcester, Earl of Clarendon, M<sup>r</sup> Hyde, M<sup>r</sup> Sec<sup>y</sup> Jenkins, M<sup>r</sup> Chanc<sup>r</sup> of y<sup>e</sup> Excheq<sup>r</sup>

His



. . . . .  
 . . His Ma<sup>ties</sup> letter to the Govern<sup>ment</sup> of Boston dated  
 New Engl<sup>d</sup> the 24<sup>th</sup> of July last is read; as alsoe a letter from  
 M<sup>r</sup>. Randolph. M<sup>r</sup>. Randolph Collector of the Customs concern-  
 ing the difficulties hee has met withall in the execution of  
 his Office.

Their Lo<sup>ds</sup> taking notice that there is a Clause in the  
 Province of Grant of the Province of Maine to Sir Ferdinando  
 Maine. Gorges, whereby all the Powers and Authorities  
 of y<sup>e</sup> Civil and Ecclesiastical Govern<sup>ment</sup> are made subject  
 to the Commissioners of Forreign Plantations for the time  
 being, and that the Massachusets, who have lately purchased  
 that Grant, have not given any account of their settlement  
 of that Province, It is thought fit that a Letter bee written  
 to that Govern<sup>ment</sup> requiring them to performe their Duty ac-  
 cording to the directions of the Grant or that otherwise they  
 will manifestly incurr a forfeiture thereof.

New Hampshire. An Addres from the President and Council of  
 New Hampshire is read, and their Lo<sup>ds</sup> observing that they  
 have neglected to returne an account of their proceedings,  
 as their Commission particularly directs, agree to propose  
 vnto His Ma<sup>ty</sup> that some able person bee sent thither to offi-  
 ciate as Clerk of the Council and Sec<sup>re</sup> of that Province  
 who shall bee accountable to the Committee of all Publick  
 Matters arising within that Province.

LETTER

LETTER FROM THE KING TO THE MASSACHUSETTS COLONY,  
DATED SEPTEMBER 30. 1680, READ 4 JANUARY. 1681.

*Massachusetts Archives*, Vol. CVI. p. 218.

Charles R.

Trusty and well beloved Wee greete you well, when by our Royall lette<sup>r</sup> bearing date the 24<sup>th</sup> day of July in the one and thirtyeth yeare of our Reigne wee signified unto you our gracious Inclination to have all past deeds forgotten, setting before you the meanes whereby you might deserve our Pardon & Co<sup>m</sup>manding your ready obedience to severall particulars therein contejned, requiring w<sup>th</sup>all a speedy compliance w<sup>th</sup> the intimations of your duty given to the late Agents dureing their attendance heere all which wee deemed essentiall to you<sup>r</sup> quiet settlement & naturall obedience due unto us; Wee then thought those markes of our Grace and Favour should have found no better acceptance among you, But that before all other things yo<sup>r</sup> should have given preference to the Execution of all our co<sup>m</sup>mands when after so many moneths we come to understand by a letter from you to one of the Principall Secretaries of State dated the 21<sup>st</sup> of May last that very few of our directions had been pursued by your Generall Court, the further Consideration of the remayning particulars having been put of upon Insufficient pretences, and even wholly neglecting your appointment of other Agents which wee required to be sent unto us within fixe months after the receipt of our said letter with full instructions to attend our Royall pleasure herein in relation to that our Government. We have also received the Peti<sup>ti</sup>on of our Trusty & well beloved Robert Mason Esq<sup>r</sup> whose  
ancestors

anceftors obteyned diver<sup>s</sup> Grants & made large purchafes of land in New England, humbly laying before us the ftate of his further pretenfions to the property of foyle in a tract of land lying betweene Merrimack & Nahmkeck Rivers by virtue of a Grant beareing date in the nineteenth yeare of the Reigne of our Royall Grandfather: In the examination whereof of the Lords of our Co<sup>m</sup>ittee of forain Plantations he made fuch a progreffe that the right of our fubjects had already been thereupon fetled, when the humble intreaty of your fajd Agents and the confent of the fayd Robert Mafon that in regard of the fuddaine departure and want of power in that behalfe the determination whereof might be fufpended untill the arrivall of other Agents to be appointed according to the limitation of ou<sup>r</sup> aforefaid letters, as y<sup>e</sup> Agents were able to informe you And although the vindication of our Authority and the demand of Juftice from one of ou<sup>r</sup> fubjects might have well induced to y<sup>e</sup> moft fpeedy meanes of Redrefse by doing us & our Subjects Right, wee have nevertheleffe Continued our Royall Clemency towards you & thought fitt to give you further opportunity of bearing evidence of you<sup>r</sup> duty towards us; fo as no further occafion of Complaint may be offered in refpect of you<sup>r</sup> behaviour, Wee doe therefore by thefe our letters ftrictly comand & require you as you tender your allegiance unto us, And will deferve the effects of our Grace and Favour (which wee are enclyned to afford you) ferioufly to reflect upon ou<sup>r</sup> Co<sup>m</sup>ands Conteyned in our fayd Letters and other directions at feverall times intimated unto your late Agents, while they were yet attending our Councill & particularly wee doe hereby comand yo<sup>u</sup> to fend out within three moneths  
after

after the receipt hereof such p<sup>r</sup>per person or persons as you think fitt to choose and that you give them sufficient instructions to attend the Regulation and settlement of that our Government and to Answer your proceedings therein and that the matter of the complaint of the sayd Robert Mason may be then determined wee expect that you<sup>r</sup> Agent or Agents be not only prepared to lay before us such evidences of Right as you may have to the propriety of soyle in that tract of land claymed by him, but wee direct you also to make a publick signification of ou<sup>r</sup> pleasure unto all the inhabitants and Tertenants thereof that they doe furnish at the same time your sayd Agents, or such others as they may depute w<sup>th</sup> the prooffs of their respective titles to the land possessed by them to the end they may be fully sattisfied in ou<sup>r</sup> Royall Justice that they have not binn prevented in the full Improvment of their lawfull defence, which wee hereby direct you to make before us in Councill, such is the care & tendernefs that we will always continue towards y<sup>os</sup> and other our subjects, by removeing those difficulties and mistakes that have arisen by the execution of the powers of your Charter at such a distance from us, which by the first Intendment and present Constitution thereof (as by the Charter appeares) has its naturall seate and Imediate Direction within our kingdome of England and that the due observance of all ou<sup>r</sup> Co<sup>m</sup>mands above mentioned may not be any longer pretended wee require yo<sup>os</sup> upon receit hereof forthwith to call a Generall Court and therein to read these our letters and provide for our speedy satisffaction, in default whereof, we shall take the most effectuell meanes to procure the same ; And so wee bid you farewell. Given at our Court  
at

at New Market the 30<sup>th</sup> of September 1680 in the two & thirtyeth yeare of our Reigne

By his Ma<sup>ty</sup> Comand

SUNDERLAND

To our Trusty & well beloved  
the Goun<sup>t</sup> & Magistrates of the  
Massachusetts Colony in New  
England now & for the time being.

A LIST OF SEVERALL SHIPS AND GOODS SEIZED IN HIS  
MA<sup>ty</sup> NAME BY EDWARD RANDOLPH HIS MA<sup>ty</sup> COLLECTOR  
&C. IN BOSTON SALEM PISCATEQUA AND THE PROVINCE  
OF MAINE.

*State Papers, Colonial, Bundle 53 (206), 16 Mar. 1688 to 20 Dec. 1680.*

1679 16 March  
at Piscataqua

in the Province of New Hampshire Seized the  
Ketch Industry of Piscataqua Mark Hawkins  
Master 70 Tun Tobacco Laden Bound for Ire-  
land afterwards would unlaid without Entry  
Cleared by Jury and 13 oddmony given in  
damages against His Ma<sup>ty</sup> Levyed by Execution  
and Paid.

1680  
15 May at Boston

Pink Expectation of Boston 100 Tun Thomas  
Grecian Master imported Goods from Cork in  
Ireland directly was Cleared by Jury and Edward  
Randolph attached in an Action of 800<sup>li</sup> for  
damages.<sup>3</sup>

17 Augt

<sup>3</sup> Some of the original papers written by Randolph in the case of Thomas Grecian are found in the *Suffolk Court files* numbered 1879, as well as some of the depositions taken by Randolph in the case of Timothy Armitage numbered 1943.

- 17 Aug<sup>t</sup>  
at Boston 50 Hog<sup>hs</sup> and 4 Baggs Virginia Tobacco and two Sloops Seised a League below Boston going aboard a Scotchman Lying and trading without Comand Cleared by Jury in Boston 100<sup>h</sup> bond procured to answer his Ma<sup>y</sup> upon a rehearing.
- 2 November at  
Kittery in ye  
Province of Maine } Bark Gift of God of Guernsey Eli Nicholls  
Master 25 Tun importing European Goods contrary to the 15<sup>th</sup> of the King and also for producing noe Certificate &c. cleared by Jury.
- 4 Dec<sup>r</sup>  
at Boston Bark Gift of God of Kittery John Brock Master 25 Tun for unlivering before Entry acquitted of his forfeiture paying 5<sup>h</sup> to the Profecutor.
- 15 Dec<sup>r</sup>  
at Salem Ship Maidenhead of Newberry 100 Tun John Huling Master Bound for Bilbo Seized for taking Tobacco aboard before Entry or Bond given Cleared by Jury & 16<sup>s</sup> given in damage against his Ma<sup>y</sup>.
- 15 — at Salem 2 Hog<sup>ds</sup> of Irish yarn Seized in a Warehouse by the Water side Cleared by Jury.
- 20 — at Boston Ship 2 Sisters of Boston Timothy Armatage Master 100 Tun from France Salt Laden Enters from Bilboe Run his good[s] at Marth head Master ordered to pay 40<sup>h</sup> for opposing his Ma<sup>y</sup>s Officer in his duty according to the 14 of the King the money was paid to the Trear and ordered for the use of the Colony.
- 17 — at Boston Ship Expedition of Bristoll Sam: Lug Master 100 Tun Entred from Minhead produced noe Certificat brought a great Cargo of goods from Cork in Ireland Cleared by Jury.

Seized

Seized Peter Lawrance Master of the Ship S<sup>t</sup> John of Dublin for riding out of Comand and trading contrary to Law and for firing 4 Shott at his Ma<sup>r</sup> Jack for which he was imprifoned afterwards fined 10<sup>li</sup> to the Country and foe difmissed.

[*Endorsemt. torn*] . . . . te of  
 . . . .  
 . . March 11<sup>th</sup> 1680  
 . . . <sup>th</sup> of March  
                     1680  
 . . . . y<sup>e</sup> 9<sup>th</sup> of Aprill  
                     1681.

TOBACCO SEIZED BY EDWARD RANDOLPH TO BE RESTORED  
 TO THE OWNER.

*Massachusetts Records*, Vol. V. p. 298. 13 October 1680

This Court hauing a case presented before them respecting unto a parcell of tobacco seized by Edward Randolph, and understanding that there hath passed a legall tryall that the law hath not condemned the same, it is hereby declared, that the said tobacco shallbe forthwith deliuered to the right oono<sup>r</sup>, & ought not longer to be deteyned in the custody of the law.

BILL OF COSTS OF JOHN HULING AGAINST EDWARD  
 RANDOLPH FOR SEIZING HIS VESSEL.

*Massachusetts Archives*, Vol. XXXIX. p. 680.

1680 octo<sup>b</sup> 24 John Huling his Bill ag<sup>t</sup> Edw<sup>d</sup> Randolph Esq.  
 Coppy of Libells

o. oi. 6

To

To three dayes, Jorny from Salem w<sup>th</sup> horfes 18. 0  
To y<sup>e</sup> Seafure of my ship x<sup>ber</sup> 24<sup>th</sup> & losf of  
time w<sup>th</sup> 14 men fhee being of Burthen aboue  
a hundred Tuns and might haue been at Sea  
now y<sup>e</sup> leether being foe eateen will be  
greatly to y<sup>e</sup> Damage of y<sup>e</sup> Defend<sup>r</sup> which I  
leave to y<sup>e</sup> Judgm<sup>t</sup> of y<sup>e</sup> Court.

LIBEL OF EDWARD RANDOLPH AGAINST THE SHIP  
EXPEDITION OF BRISTOL.

*Massachusetts Archives, Vol. LXI. p. 219.*

To the Hono<sup>r</sup>able Symon Bradstreet Esq<sup>r</sup> Gouverno<sup>r</sup> & Court  
of Assistants sitting in Boston y<sup>e</sup> 24<sup>th</sup> day of December  
1680.

The information & lybell of Edw: Randolph, Esq<sup>r</sup> Col-  
lecto<sup>r</sup> &c. of his Mat<sup>ies</sup> Customes in New England, against the  
ship Expedition of Bristol or Corke Samuell Leg [Lug] M<sup>r</sup>  
seized for his Ma<sup>ties</sup> use the 14<sup>th</sup> of this instant December or  
thereabouts rideing att anchor in Boston Harbor, for & in  
behalf of our soveraigne Lord King Charles y<sup>e</sup> second &c. f<sup>d</sup>  
Gouverno. & f<sup>d</sup> profecutor as followeth: whereas in the statute  
made in y<sup>e</sup> Parliam<sup>t</sup> of o<sup>r</sup> soverigne Lord the King of  
England &c. in the 11<sup>th</sup> yeare of his Raigne, at Westminster  
in the county of Middlesex in y<sup>e</sup> f<sup>d</sup> Kingdome of England  
amongst other things it is enacted by ye authority of y<sup>e</sup> f<sup>d</sup>  
Parliam<sup>t</sup> that from & after the 25<sup>th</sup> day of March 1664 no  
ship or vessell comeing into any land island Plantation terri-  
tory, colony or place to his Maj<sup>ties</sup> belonging or which shall  
hereafter belong unto or be in y<sup>e</sup> possession of his Ma<sup>ties</sup> his  
heires



heires or succcessors in Asia Africa or America shall lade or unlade any goods or comodities whatsoever untill y<sup>e</sup> . . . have made knowne to y<sup>e</sup> Gouvern<sup>or</sup> of such land island &c. or such other pson or officer as shall be by him authorized & appointed, the arrivall of y<sup>e</sup> f<sup>st</sup> ship or Vessell with her name & y<sup>e</sup> name & surname of her m<sup>r</sup> & co<sup>m</sup>ander & haue shewn to him y<sup>t</sup> she is an English built ship or made good by producing such certificate as afore<sup>s</sup> y<sup>t</sup> she is a ship or vessell *bonâ fide* belonging to England Wales or towne of Barwicke & navigated with an English m<sup>r</sup> & 3 forth parts of her mariners at least Englishmen, & haue delivered to such Gouverno<sup>r</sup> or other pson or officer, a true & perfect inventory or invoice of her lading together with the place or places in w<sup>ch</sup> y<sup>e</sup> f<sup>st</sup> goods now laden or taken into y<sup>e</sup> f<sup>st</sup> ship or vessell under paine of y<sup>e</sup> losse of y<sup>e</sup> f<sup>st</sup> ship or vessell with all her guns tackle Ammunition furniture & lading. Whereas Samuel Leg [Lug] master of y<sup>e</sup> f<sup>st</sup> ship not regarding ye paines & penalties of y<sup>e</sup> f<sup>st</sup> statute hath come into y<sup>e</sup> f<sup>st</sup> Colony, not makeing a due entry, as in y<sup>e</sup> f<sup>st</sup> statute is required. it is y<sup>e</sup>fore in behalfe of his f<sup>st</sup> Ma<sup>ty</sup> f<sup>st</sup> Gouverno<sup>r</sup> & f<sup>st</sup> profecutor desired y<sup>t</sup> y<sup>e</sup> f<sup>st</sup> ship with all her tackle furniture Apparell Guns & Lading according to y<sup>e</sup> f<sup>st</sup> statute may be declared forfeited & y<sup>t</sup> judgment & Condemnation may pafs thereupon.

ED. RANDOLPH.

Dec. 20. 1680

PRAYING

PRAYING A QUO WARR<sup>TO</sup> AG<sup>ST</sup> THE GOVERN<sup>T</sup> OF Y<sup>e</sup>  
MASSACHUSETTS.

*State Papers, Colonial, Bundle 53 (216), 6 Apr. 1681.*

To the Kings most Excellent Ma<sup>y</sup>

The Humble Petition of Edward Randolph Collector of  
your Ma<sup>ties</sup> Customs in New Eng<sup>d</sup>  
Sheweth

That y<sup>r</sup> Pet<sup>r</sup> some time past received a Deputation & instructions from the Comm<sup>rs</sup> of y<sup>r</sup> Ma<sup>ties</sup> Customs to take care that the severall Acts of Trade & Navigation might be duely observed in the five Colonies of New Eng<sup>d</sup> who all own & submitt to y<sup>r</sup> Ma<sup>ties</sup> Laws & Orders humbly praying y<sup>e</sup> Continuance of y<sup>r</sup> Ma<sup>ties</sup> favour & protection; except only y<sup>e</sup> Colony of y<sup>e</sup> Massachusetts, who continually resist y<sup>r</sup> Ma<sup>ties</sup> Authority & have noe regard to y<sup>r</sup> Royall Commands.

That in y<sup>e</sup> yeares 1679 & 1680 divers Ships & Vessells irregularly trading in y<sup>e</sup> Ports of y<sup>e</sup> said Colony were seized by y<sup>r</sup> Pet<sup>r</sup> in y<sup>r</sup> Ma<sup>ties</sup> name & prosecuted in y<sup>e</sup> Courts of Record upon y<sup>e</sup> place; wherein considerable Damages were given against y<sup>r</sup> Ma<sup>ties</sup> & forced from y<sup>r</sup> Officers contrary to y<sup>r</sup> Ma<sup>ties</sup> Laws & their Charter.

Now forasmuch y<sup>e</sup> Colony of y<sup>e</sup> Massachusetts is subjected to y<sup>e</sup> said Laws & ought to give all due obedience to y<sup>e</sup> same: But contrary thereunto that Gov<sup>mt</sup> hath denied to grant Appeals to y<sup>r</sup> Ma<sup>ties</sup> in Councill as well formerly to y<sup>r</sup> Ma<sup>ties</sup> Subjects there inhabiting, as in the late causes relating to y<sup>r</sup> Ma<sup>ties</sup> own affaires; refused to publish y<sup>r</sup> Ma<sup>ties</sup> Proclamations for putting y<sup>e</sup> Laws of Trade in execution in y<sup>r</sup> Ma<sup>ties</sup> Foraine Plantations; And have neglected to send over Agents  
upon

upon y<sup>r</sup> Ma<sup>ties</sup> second & finall Commands to have Agents attend y<sup>r</sup> Ma<sup>tie</sup> within 3 monthes after the receipt of y<sup>r</sup> Ma<sup>ties</sup> Royall Letters, w<sup>ch</sup> time is since elapsed: And they do also continue to Coine money w<sup>ch</sup> their Agents in their Petition to y<sup>r</sup> Ma<sup>tie</sup> acknowledged a great crime & misdemeanor & craved y<sup>r</sup> Ma<sup>ties</sup> Pardon to the Govm<sup>t</sup> for soe doing; And have likewise converted to y<sup>e</sup> use of their Colony Fines & Forfeitures due to y<sup>r</sup> Ma<sup>tie</sup> upon breach of the penall Laws; & lastly sett at liberty without any Proceffe at Law a Master of a Ship apprehended & legally committed to Goale for firing 4 great Guns in port at y<sup>r</sup> Ma<sup>ties</sup> Jack upon payment of ten pounds fine to y<sup>e</sup> use of y<sup>e</sup> Colony

And forasmuch as y<sup>e</sup> Charter by w<sup>ch</sup> this Corporation pretends to act is of the same constitution with y<sup>t</sup> of y<sup>e</sup> Corporation of Bermodos ags<sup>t</sup> w<sup>ch</sup> Corpora<sup>cion</sup> y<sup>r</sup> Ma<sup>tie</sup> hath caused a Writt of Quo Warr<sup>to</sup> to be brought (as formerly hath been done ags<sup>t</sup> y<sup>e</sup> Govm<sup>t</sup> of Virginia) for misdemeanors committed by y<sup>m</sup>, & their refusall to submitt y<sup>e</sup> regulation of their Govm<sup>t</sup> unto your Ma<sup>tie</sup>

And whereas y<sup>e</sup> Corpora<sup>cion</sup> of y<sup>e</sup> Massachusetts have far surpassed y<sup>m</sup> in their unparrall'd misdemeanors & contempts & even in their daily arbitrary actings amounting to no lesse than High Treason, to y<sup>e</sup> great oppression & dissatisfaction of y<sup>e</sup> people inhabiting under their Govm<sup>t</sup>

The Pet<sup>t</sup> therefore humbly prays y<sup>r</sup> Ma<sup>tie</sup> in y<sup>e</sup> name & behalfe of those your Ma<sup>ties</sup> good Subjects to direct y<sup>r</sup> Ma<sup>ties</sup> Attorney Gen<sup>l</sup> to bring a Writt of Quo Warr<sup>to</sup> ags<sup>t</sup> y<sup>e</sup> Gov<sup>t</sup> & Corpora<sup>cion</sup> of y<sup>e</sup> Massachusetts Bay in New Eng<sup>d</sup>. (w<sup>ch</sup> y<sup>r</sup> Ma<sup>tie</sup> has never refused in like cases)

for

for vacating their Patent, there being noe kind of doubt  
but y<sup>r</sup> Ma<sup>ties</sup> Writt will have its desired effect not only to  
y<sup>e</sup> great releife of y<sup>r</sup> Ma<sup>ties</sup> oppressed Subjects & bringing  
y<sup>t</sup> Gov<sup>mt</sup> under their due allegiance, but to y<sup>e</sup> certaine  
encrease of y<sup>r</sup> Ma<sup>ties</sup> Customs & Revenue here in  
England. And y<sup>r</sup> Pet<sup>r</sup> shall etc.

Read in Councill Ap : 6 : 1680

Read at Com<sup>tes</sup> Ap : 8 : 1680

At the Councill Chamber in Whitehall 6 Aprill 1681.

It is this Day ordered by his Maj<sup>ty</sup> in Councill that the  
R<sup>t</sup> Hono<sup>ble</sup> the Committee for Trade and plantations do  
meet on Saturday next, and Examyne the allegations of this  
petition, and Report to this Boord what their Lo<sup>ps</sup> think fit  
for his Maj<sup>ty</sup> to do thervpon.

FRANCIS GWYN.

Read at Com<sup>tes</sup> ~~1680~~

Ap : 8 : 1681.

CONCERNING COINING, SHIPS & MAGISTRATES.

*State Papers, Colonial, Entry Book, 106, p. 256.*

At the Committee of Trade and Plantacons  
in the Council-Chamber at White Hall  
Saturday the 9<sup>th</sup> of April 1681.

Present: Earl of Craven, E. of Clarendon, E. of Bathe,  
E. of Conway, M<sup>r</sup> Chanc<sup>r</sup> of y<sup>e</sup> Excheq<sup>r</sup>, M<sup>r</sup> Seymour, S<sup>r</sup>  
Tho : Chicheley, M<sup>r</sup> Sec<sup>r</sup> Jenkins.

Petition of Edw.  
Randolph.

The Pet<sup>r</sup> of Edw : Randolph Collector of the  
Customs in New England read complaining of  
divers abuses in the Goverment of the Massachusets Bay ; viz,  
That

That they continue to Coyn money contrary to His Ma<sup>ty's</sup>  
Coyn in N:  
Engl<sup>d</sup> pleasure signified to them.

That when hee makes Seizures of Ships in the execution  
Seizures. of his Office for breach of the Acts of Parliament  
 they doe force him to deposit a fumme of money to answer  
 the damages before hee can bee admitted to a Tryal.

Ships & Sloops. That the Commanders of their Ships @ Sloops  
 presume to carry the King's Jack in the Main Top and  
 without leave for the same.

My Lord Culpeper acquaints the Committee that, while  
 hee was in New England, hee did observe that the general-  
People.  
Magistrata. ity of the People in New England were very  
 weary of y<sup>e</sup> Goverment of the Magistrats; but  
 that the Magistrats alsoe were very averſe to the Gover-  
 ment of England.

#### REPORTS TOUCHING NEW PLYMOUTH & RANDOLPH.

*State Papers, Colonial, Entry Book, 106, p. 260.*

At the Committee of Trade & Plantacons  
 in the Council-Chamber at Whitehall  
 Saturday the 16<sup>th</sup> of April 1681.

Present: Earl of Craven, Earl of Bathe, Earl of Conway,  
 L<sup>d</sup> B<sup>p</sup> of London, M<sup>r</sup> Seymour.

New England. My Lord Culpeper attends and gives their  
 Lo<sup>ps</sup> an acco<sup>t</sup> of the State of New Engl<sup>d</sup> and that the Colony  
 of New Plimouth is very well inclined to His Ma<sup>ty's</sup> Govern<sup>t</sup>  
 and does therefore deserve to bee encouraged which their  
Report touching  
New Plimouth. Lo<sup>ps</sup> will report to the Council and are of opinion  
 that New England cannot bee brought to a per-  
 fe&

fect settlement vnless a General Governor bee sent over and maintained there at y<sup>e</sup> King's charge.

Their Lo<sup>ps</sup> will alsoe propose to His Ma<sup>y</sup> that all Governors bee obliged to reside within their Government, and that they may not receive any Salary during their absence.

Their Lo<sup>ps</sup> taking into consideration the good service done by M<sup>r</sup> Randolph in New England and the great expence hee is obliged to bee at (which is alsoe certified by my Lord Culpeper) agree to Report that his Salary as Collector of the Customs in New England bee doubled for his future encouragement.

RANDOLPH TO JENKINS:—GOVERNMENT OF NEW ENGLAND.

*State Papers, Colonial, Bundle 53 (5).*

Right Hon<sup>ble</sup>

Aprill: 16: 1681:

I[t] is humbly proposed, that the Articles & paper containing severall high misdemeanors given in by my selfe to the Lords of y<sup>e</sup> Committye, against the Bostoners at my first returne from N. Eng<sup>d</sup> with S<sup>r</sup> Will. Jones & S<sup>r</sup> Francis Winningtons opinion thereupon be read, as also my petition & Appeal to his Ma<sup>tie</sup> & depositions taken before the Lords y<sup>e</sup> 9<sup>th</sup> instant. And for full Confirmation of the whole matter that some person be ordered to attend M<sup>r</sup> Attorny Gen<sup>l</sup> with the Bostoners Charter, & the Acts of trade & other papers lying before y<sup>r</sup> Lords<sup>ps</sup>. That upon report of the whole matter, his Ma<sup>tie</sup> may please legally to proceed & to reduce that Gōm<sup>t</sup> by whose example the other plantations mutinie & are uneasy, & that the Correspondency & Combination which to my knowledge is continued betwixt y<sup>e</sup> factious

factious parties in both Englands may be utterly dissolved. That a Quo Warr<sup>to</sup> is y<sup>e</sup> most legall & safe way of proceeding with them, as by the opinion of his Ma<sup>tie</sup> late Attorney & Soliciter Gen<sup>l</sup> under their hands doth appeare.

That upon notice given of a Quo Warr<sup>to</sup> brought against them, his Ma<sup>tie</sup> be at the same tyme pleased by his Commission (like that of the province of New Hampshire carried over & executed by my selfe) to settle a temporary Gōm<sup>t</sup> in that colony, impowring severall of y<sup>e</sup> Present Magistrates & other Gent. there inhabiting to take care to see justice duely administered to secure his Ma<sup>ties</sup> peace & themselves from foraine invasion: to reheare severall Causes upon seizures illegally given against his Ma<sup>tie</sup> & to see y<sup>e</sup> Acts of trade be duly observed, & lastly to take care of the Militia & to putt the Castle & forts into safe hands till a perfect settlement of that matter be determined. That his Ma<sup>tie</sup> by printed Declarations doe signifye his permitting liberty of Conscience in matters of Religion. Every man to enjoy his Rights & legall proprieties: & further That for the future noe money be raised upon his Ma<sup>ties</sup> Subjects there (except in case of Forraine invasion or disturbance from y<sup>e</sup> Indians) but by his Ma<sup>ties</sup> leave & allowance. And that M<sup>r</sup> Danforth, Noell, Saltenstall Sen: & M<sup>r</sup> Gidney magistrates, (who entred y<sup>e</sup> Province of Maine lately with an armed force) be declared incapable of publick trust or Offices, & that they are bound to their good behaviour in 1000<sup>th</sup> bond. Of all this I question not but to give his Ma<sup>tie</sup> a speedy & effectual account having obtained y<sup>e</sup> Settlem<sup>t</sup> of the province of New Hampshire by his Ma<sup>ties</sup> Commission a matter of farr greater difficulty: the Quo Warr<sup>to</sup> will unhing their Govern<sup>t</sup> & prepare them

them to receive his Ma<sup>ties</sup> further pleasure, Saving with all both money & tyme.

I have often in my papers presd the necessity of a Gen<sup>l</sup> Gov<sup>r</sup> as absolutely necessary for the hon<sup>r</sup> & Service of the Crown & the good & security of the whole plantation now caulonized into small Corporations & Gōm<sup>ts</sup> unable to defend them selves or releive their Neighbors; but in many respects I doe not looke upon this as the proper season: besides should any force appear upon the Coasts in order to reduce them to reason, before they have had a legall Summons to make their defence It would discourage y<sup>e</sup> greatest & honest party upon y<sup>e</sup> place: but after a legall profecution there will be noe need of force for I beleive they will not add rebellion to all their former Extravigances. Yet putt case they should not regularly comply, they will know, and feare for what is already committed, That his Ma<sup>ties</sup> will putt them out of his Protection, & command all y<sup>e</sup> Gov<sup>rs</sup> of his foraine plantations to seize their ships & drive them further to trade, without which they cannot at all subsist. As to the apprehensions of their joining with y<sup>e</sup> French They have soe great a peique against them, that they want onely an opportunity to dispossesse them in Nova Scotia Canada & New found Land. All this is humbly submitted

by y<sup>r</sup> Hon<sup>rs</sup> most obedient serv<sup>t</sup>

ED RANDOLPH.

[*Endorsed*]

Papers about Settle<sup>mt</sup> of the  
Gōm<sup>t</sup> of Boston in N. Eng<sup>d</sup>

16 Apr: 81.

To the Right Hon<sup>ble</sup> S<sup>r</sup> Lionell Jenkin  
one of his Ma<sup>ties</sup> principall Sec<sup>ry</sup>es of State.

E. RANDOLPH.

[*Enclosed*]



*[Enclosed]*

Part of the Articles of high misdemeanors  
objected against y<sup>e</sup> Gōm<sup>t</sup> of Boston  
in New Eng<sup>d</sup>

1. they have erected a publick Mint & Coine money.
  2. have putt his Ma<sup>ties</sup> Subjects to death for matters in religion.
  3. made lawes repugnant to y<sup>e</sup> Lawes of Eng<sup>d</sup>
  4. Invaded the neighbouring Provinces by force of arms & Subjected them to their Gōm<sup>t</sup>
  5. levied taxes Excise poll money Customs & other duties upon his Ma<sup>ties</sup> Subjects, by their own Authority.
- Denied appeales to his Ma<sup>ty</sup> in Councill.  
Denye Baptisme to Children, etc.

Y<sup>e</sup> opinion of M<sup>r</sup> Attorney & M<sup>r</sup> Soliciter Gen<sup>l</sup>

As to y<sup>e</sup> misdemeanors objected ag<sup>t</sup> y<sup>e</sup> Corporation of y<sup>e</sup> Massachusetts Bay in New Eng<sup>d</sup> in Managing their patent.

We are of opinion that if the same can be proved to be true & that they were committed since the Act of Oblivion, they doe contain sufficient matter to avoid the patent but that Cannot otherwise be done then by a Quo Warr<sup>to</sup>

WILL. JONES

proved in Comitty of Lords  
y<sup>e</sup> 9<sup>th</sup> instant; upon Oath.

FRANCIS WINNINGTON.

To these may be added their managing their Charter in New Eng<sup>d</sup> whereas by the doquett of said Charter It plainly appeares that they were constituted a Corporation & to be a Gov<sup>r</sup> & Company, etc: here in Eng<sup>d</sup> according where to they did act as a Gov<sup>r</sup> etc: in London, & did for some tyme  
act

act by their agents & factors in New Eng<sup>d</sup> Soe that a question doth arise, wheither by removall of themselves their Charter & the execution thereof to New Eng<sup>d</sup> have not from that tyme vacated their Charter & consequently that power is revoked & remains in his Ma<sup>ty</sup>.

I have severall papers to communicate to M<sup>r</sup> Sec<sup>ry</sup> if I may have oppurtunity to attend.

RANDOLPH'S QUERIES:—ANSWERS OF ATTORNEY GENERAL:  
—RANDOLPH'S SALARY.

*State Papers, Colonial, Entry Book, 61, p. 120. Apr.—May 1681.*

To the Right Hon<sup>ble</sup> the Lords of the Comm<sup>ees</sup> for Trade  
and Plantations.

Queries made  
by M<sup>r</sup> Randolph.

Right Hon<sup>ble</sup>

In order to your Lo<sup>ps</sup> further satisfaction in appointing methods and Instru<sup>ctions</sup> to regulate the judicial proceedings, as also to hinder the illegall Trade of the Bostoners for the future, it's humbly proposd

That M<sup>r</sup> Attorney General bee desired to give his opinion to your Lo<sup>ps</sup> upon the following Queries, Viz:

1. Whether feizures made of Ships & their loading illegally imported into New England, brought to a Tryall and cleered by Jury upon Appeal in Court to His Ma<sup>ty</sup> in Councill cannot bee brought to a new Tryall upon the place? what directions are necessary for procuring the same, And how Juries, (who upon Tryall of Causes relating to His Ma<sup>ty</sup>'s affaires, bringing Verdicts contrary to evidence and the Letter of the Law) ought to be proceeded against?

2. Whether the order made by the Court at Boston Oct. 1<sup>st</sup> 1680, requiring the paym<sup>t</sup> of 10<sup>li</sup> for calling a speciall Court, bee valid, and ought to bee paid by His Ma<sup>tie</sup>'s Officers in Causes relating to His Ma<sup>tie</sup>'s affaires? and whether the severall Summes of money already paid by vertue of that Order, as also all Costs and damages given ag<sup>st</sup> His Ma<sup>tie</sup>, and ffines arbitrarily imposed and payd by His Ma<sup>ties</sup> Officer, ought not to bee repayed? and if refused, how to bee recovered?

3. Whether the Governm<sup>t</sup> of Boston haue right to receive Fines and Forfeitures payable upon breach of the Acts of Trade and Navigation? and whether all such ffines already paid and received by them ought not to bee paid as directed in the Act made for preventing of frauds of the 14<sup>th</sup> of the King?

4. Whether the Governm<sup>t</sup> of Boston have power to impose Customes, Imposts and other Dutys upon English built Shipping coming into that Colony, and also upon commodities w<sup>ch</sup> haue cleered and paid His Ma<sup>ties</sup> Dutys in England, Wales &c<sup>t</sup> and upon Goods and Merchandizes imported from His Ma<sup>ties</sup> fforreign Plantations, where the Dutys are by Law directed to bee paid?

5. Whether the Governm<sup>t</sup> of Boston haue power to lay dutys upon live Cattle, Sheep, Oxen, &c. brought to Markett in Boston from the Neighbouring Colonies, and also impose and levy what rates, taxes, excise, Pole-money &c<sup>t</sup> upon the Lands and Estates & persons of His Ma<sup>ties</sup> Subjects Inhabiting that Colony as often and in what manner they please, without having first obtained His Ma<sup>ties</sup> allowance and consent for so doing?

ED RANDOLPH.

To

To y<sup>e</sup> 1<sup>st</sup>. Where a verdict is given upon an Information  
M<sup>r</sup>. Attorney's  
opinion upon  
M<sup>r</sup>. Randolph's  
Queries. upon a Seizure or other penall Law no Appeale  
lyes, and 't is rare that a new Tryall is awarded  
vnlesse some miscarriage bee proved upon the Defd<sup>t</sup> by  
tampering with the Jury, or the Court bee satisfyed that the  
Verdict was given against plaine and direct evidence and the  
direction of the Court.

To 2. I am of opinion that the order of Oct. 1. 1680 is  
ag<sup>t</sup> Law and all orders for the King to pay Costs and may  
bee Appealed from to the King and Councill, and upon  
such Appeale the Councill may order the mony vnduly lev-  
yed to bee restored.

To 3. The Comp<sup>t</sup> or Governm<sup>t</sup> are not intituled to the  
fforfeitures by the severall Acts, but one moyety to the  
King, the other to the Informer, and they are accomptable  
to the King for what they haue received of the King's moy-  
ety, and 't is proper that they bee directed to pay the King's  
moyety to some person whom the King shall appoint his  
Receiver, and that for the future the growing forfeitures  
bee paid to such Receivor.

To 4. I am of opinion that by their Charter they haue  
no power to lay any impositions upon any not free of their  
Company, Nor upon the Ships nor Goods that come thither  
from other Colonys.

To 5. I do not find they have any power by their Char-  
ter to lay such Dutys or Taxes as are mentioned in the 5  
Quæry, especially upon those that are not free of their  
Company.

R SAWYER.

To

To the Right Hon<sup>ble</sup> the Lords Comm<sup>rs</sup> of His Ma<sup>tie</sup>'s Treāry.

Queries by  
Mr Randolph.

In order to a better regulating the Trade of the Colony of the Massachusetts Bay in New England It is humbly propos'd that M<sup>r</sup> Attorney Generall bee desired to give your Lo<sup>ps</sup> his opinion upon these following Queries.

1. Whether the Laws of Trade and Navigation ought not to bee from the first signification thereof observ'd by His Ma<sup>tie</sup>'s Subjects aswell in New England as in all other His Ma<sup>tie</sup>'s fforreign Plantations, and what forme of signification is necessary?

2. Whether that Governm<sup>t</sup> ought not to admitt of Appeales to His Ma<sup>tie</sup> before and after Tryalls had in their Courts by Jury or otherwise?

3. Whether in Appeales made there by His Ma<sup>tie</sup>'s Officers and other His Subjects, good security ought not to bee taken to answer before His Ma<sup>tie</sup> here in England, and what course must bee taken if security bee refused?

4. Whether the Gov<sup>r</sup> & Company of the Massachusetts Bay in New England being by Charter made a Corporation, and directed to act here in England, and by their Agents and ffactors to Governe a Tract of Land granted them by that Charter in New England, have not vacated their said Charter by removing themselves and the entire execution of that Charter to New England. All w<sup>ch</sup>, &c.

ED: RANDOLPH.

Vpon consideration had of the Queries on the other side:

M<sup>r</sup> Attorney's  
Answer and  
opinion.

To y<sup>e</sup> 1<sup>st</sup> I am of opinion that the Plantation Acts being publique Laws, and the Plantations particularly

11

particularly bound by them, did bind them without any particular notice given on behalfe of the King; yet it hath been vsuall in such cases, to take away all colour of excuse, to signifie the same by some order of Councill vnder the Councill Seale, w<sup>ch</sup> will bee sufficient.

To y<sup>e</sup> 2 & 3. There is no question but the Sovereignty remaining in the King, an Appeale doth lye to His Ma<sup>tie</sup> in Councill as from Jersey and Guernsey, And His Ma<sup>tie</sup> in Councill may give rules, in what Cases Appeales may bee allowed, and how profecuted, and for what value, as hath been done in the case of Jersey and Guernsey, with consideration had to the greater distance of the place; for it would bee an infinite vexation to allow a Latitude of Appealing in any Case, or before His Ma<sup>tie</sup> in Councill haue settled Rules, vnlesse it bee in some exorbitant Case, which may have influence upon the Governm<sup>t</sup>

4. By the Charter of King James the Councill were to reside in England, and to manage by Deputies and assignes in New England, but by the Patent 4 Car. 1. their assignes are made a Body Corporate and the Governm<sup>t</sup> vested in them, and they may reside and act in New England.

R SAWYER.

Whitehall Treãry Chamber 30<sup>o</sup> April 1681.

*Order of  
Reference to  
M<sup>r</sup> Attorney.*

The Lords Comm<sup>rs</sup> of His Ma<sup>tie</sup>'s Treãry are pleased to referr the consideraçon of this paper to M<sup>r</sup> Attorney Generall, who is desired to Report his opinion thereupon to their Lo<sup>ds</sup>

HEN. GUY.

May

May it please Yo<sup>r</sup> Ma<sup>tie</sup>

Report about  
M<sup>r</sup> Randolph.

Wee haue severall times mett and considered the State of Yo<sup>r</sup> Ma<sup>tie</sup>'s affaires in New England, and are preparing to offer vnto Yo<sup>r</sup> Ma<sup>tie</sup> the most effectuall meanes to bring that part of your Dominion vnder a fitt dependance upon the Crown And Wee haue in order therevnto been attended by M<sup>r</sup> Edw<sup>d</sup> Randolph Collector and Surveyor of yo<sup>r</sup> Ma<sup>tie</sup>'s Customes in those parts, who has taken great paines and run great hazards in the discharge of his Duty there, and is now returning thither with further power vnder the Great Seale of England to execute the Trust reposed in him. But forasmuch as his former merit hath been very considerable and that hee cannot well proceed to the effecting those good ends which are intended without some further allowance than has hitherto been made vnto him for his service Wee humbly propose vnto yo<sup>r</sup> Ma<sup>tie</sup> that to the Salary of One hundred pounds which hee now enjoys there may bee added the yearly Sūme of One hundred pounds more for his future encouragem<sup>t</sup> in the prosecution of that service, which cannot but redound to the encrease and security of yo<sup>r</sup> Ma<sup>tie</sup>'s Customes here in England. All w<sup>th</sup> &c.

Council Chamb<sup>r</sup> in Whitehal

3<sup>d</sup> May 1681.

REPORT

REPORT OF ATTORNEY GENERAL AB<sup>t</sup> N: ENGL<sup>d</sup>; &c.

*State Papers, Colonial, Entry Book 106, p. 266.*

At y<sup>e</sup> Committee of Trade & Plantacons  
in the Council-Chamber at Whitehall  
Tuesd<sup>y</sup> the 21<sup>th</sup> June 1681

Present: Lord President, Marq: of Worcest<sup>r</sup>, Lord Chamberlane, Earl of Clarendon, Lord Hyde, M<sup>r</sup> Sec<sup>y</sup> Jenkins.

New England. . . . M<sup>r</sup> Randolph presents to y<sup>e</sup> Cōmittee a  
Report of M<sup>r</sup> Attorney General concerning New England  
and particularly that hee finds the forfeitures which are incurred vpon the breach of A<sup>c</sup>ts of Parliament in New England are to bee accounted vnto the King; Whereupon their

Report touching  
Boston. Lo<sup>d</sup> will Report that a letter bee written to the  
Government of Boston requiring them to pay all  
such ffines to His Ma<sup>y</sup>'s vse and that they comply with the  
other particulars of M<sup>r</sup> Attorney's Report, or that, vpon  
their default, His Ma<sup>y</sup> will proceed to question their Charter  
by a Quo Warranto in Hillary Terme next.

M<sup>r</sup> Randolph. In the mean time M<sup>r</sup> Randolph is orderd to  
lodge his Appeals against the proceedings of the Bostoners  
vpon the Seizures made by him, and their Lo<sup>d</sup> will report  
that Summons bee issued out to the persons concerned  
therein to attend in a competent time.



A NARRATIVE OF THE PROCEEDINGS OF THE COUNCILL OF  
THE PROVINCE OF NEW HAMPSHIRE IN NEW ENGLAND  
UPON REC<sup>t</sup> OF HIS MA<sup>ty</sup> COMISSION.

*Transcripts of New Hampshire Documents*, by J. S. Jennefs, p. 104. *New Hampshire Papers*, Vol. XLVIII. pp. 426-7 (1681).

The Commiffion under the Great Seal for eftablifhing his Ma<sup>ty</sup> authority in the faid province being by M<sup>r</sup> Randolph delivered unto John Cutt efq<sup>r</sup> appointed Prefident of the Councill upon the 27<sup>th</sup> of Decembe<sup>r</sup> 1679. The Prefident forthwith Summoned the Severall perfons named in the Commiffion to be of the Councill to hear it read which being done he required them by virtue of the faid Commiffion to accept thereof and to adminifter him the Oaths of Allegiance and Supremacy and the oath of a Counfeller that foe they might enter upon the adminiftration of the affaires of the province But Richard Waldern and Richard Martin two of thofe named of the Councill faid they would take time to confider thereof and perfwaded the reft to doe the like.

The faid Waldern and Joshua Moody the Minifter of Portfmouth went to Bofton, to confult fome perfons in that Government, how they fhould proceed in reference to his Maj<sup>ty</sup> Commiffion and after fomedays being returned to portfmouth they Two togeather with Richard Martin did goe to the Prefident and told him they were refolved not to owne the Commiffion and did earneftly importune the Prefident to reject it. Waldern faid he would be hanged at his door before he would a<sup>c</sup>t by authority of that Commiffion. The Prefident told them he would give obedience to his Maj<sup>ty</sup>

Maj<sup>r</sup> Commands and advised them to doe the like the said Waldern Martin and Moody did by their Sollicitations prevaile with those other persons named of the Councell not to accept thereof Supposing by that means to compell the President to quitt the Commission believing he would take upon him to act singly Soe that the Twenty days time limited by his Maj<sup>r</sup> for publishing the Royall Commission and their accepting of the Government were expired.

Hereupon the President having advised with severall of the Principall and loyall persons of the province, did by a public Declaration give notice to all the inhabitants that he did accept of his Maj<sup>r</sup> Commission and required them to repair unto the Towne of Portsmouth upon a Day prefixed to hear the Commission read and to Consult with him for carrying on the Government until his Maj<sup>r</sup> pleasure were known and commanded all persons in his Maj<sup>r</sup> name to forbear giving any disturbance to the peace of the province as they would answer the contrary at their perill, the which Declaration was received with a generall joy and Satisfaction of the people.

Upon the proceedings of the president Waldern, Martin and Others sent to the severall Ministers of the Province to advise with them what was to be done, Who meeting at Portsmouth in the house of Martin, ffour days were Spent in consultation, at last it was resolved, That they would accept of the commission and assume the Government, least the President should putt others in their places it being better for them to govern who had formerly been in Commission under the Massachusetts Governm<sup>t</sup> then for others of different principles to command them, And these reasons were sent unto

some of the Magistrates of Boston to Shew the necessity of their owning his Maj<sup>y</sup> authority and obeying his Commands.

Then Waldern, Martin and the rest went unto the President and declared unto him that they did accept of the Commission But withall told him That since his Ma<sup>y</sup> had allowed liberty of conscience to his protestant Subjects, and they being unsatisfied with the manner of taking the oaths in England as repeating the words in the oaths of Allegiance and Supremacy and Swearing upon the holy Bible to be needless ceremonies they thought it convenient to dispense therewith, and having heard the aforesaid oaths read unto them and holding up their hands declared them to be well taken.

The day after being the 21<sup>st</sup> January they made choise of Three more to be of the Councill Two whereof were in Commission while the Massachusetts usurped the Government of the province, and Waldern gott himself to be elected Deputy President and continued Commander in cheif of the Militia a place he held formerly under the Massachusetts.

The major part of the Councill being ill pleased with the former proceedings of that loyall Gent. John Cutt esq<sup>r</sup> President Since deceased whom they found too much addicted to his Maj<sup>y</sup> Service take advantage of his illness and absence to make an order to limitt the President to a Single Vote and have Since acted without him.

Then the Councill issue out Summons for choosng of Deputies for the Generall Assembly, but withall publish an Order That none should presume to give their votes for choise of Deputies but Such as they Should nominate upon penalty of ffive pounds and in Townes of above Two hundred houses not above Twenty persons permitted to vote at the

the day of Election very many did demand their right and liberty to vote, but were denied and threatened to be punished by Waldern and others for contempt of authority in disobeying their Commands So that the Deputies in effect are chosen by the Councill.

The Councill have declared themselves to have a Legislative power and that no Law shall be of force but what is made by the Assembly and ratified by them.

They have declared themselves a Court of Appeals and have Denied Appeals to his Maj<sup>ty</sup> and have threatened to punish Such as should appeal from them to his Maj<sup>ty</sup> contrary to the Express words of the Commission.

They have made a Law to confirm the Laws of the Massachusetts Colony and the Title to Lands derived from that authority.

They have made a Law that no Magistrate or Elder of a Church shall pay any Tax or Rate whatsoever, whereby the Councill and Deputies are freed from impositions the Inhabitants are rated at Will and doom some persons that are not worth 100<sup>lb</sup> being rated farr more than those who are worth 1000<sup>lb</sup>.

They have raised Great Summs upon the inhabitants and it doth not appeare how expended, the only visible expence being in eating and drinking the Councill allways meeting in an Ordinary.

They fined Capt<sup>m</sup> Barefoot 10<sup>lb</sup> for accepting a Commission from Mr Randolph to be his Deputy Surveyour at Pascataway and committed him to prison untill paid Saying that all persons that were employed in Such business should be punished.

Upon

Upon complaint of great numbers of the inhabitants of the heavy Taxes laid upon them It was demanded of the Councill upon the 11<sup>th</sup> of March last an accompt in writing what moneys have been assessed levyed and collected Since the establishment of the present Government and how and for what expended that his Maj<sup>ty</sup> might be informed of the State and condition of the province, but it was positively denied.

The Councill would have enforced an Oath of Secresy upon M<sup>r</sup> Chamberlain his Maj<sup>ties</sup> Secretary of the Province and Clerk of the Councill that he should not give an account to his Maj<sup>ty</sup> of their proceedings nor write any matters to England but such as they should order, and for refusing hereof he was threatened to be turned out off the Councill, and hitherto have settled no Salary upon him and have appointed Two of themselves to be Recorders & Secretares of the province, who share the profits and ffees between them thereby defrauding him from the Rights of the place.

Upon the whole matter it may cheifly be observed.

1. Most of the Councill did to their uttmost oppose his Maj<sup>ties</sup> Royall Commission for settling the province.
2. The Councill have not taken the oaths of Allegiance & Supremacy as the Commission and Law requires.
3. They have appointed the Deputies for the Assembly and would not Suffer the inhabitants to give their votes.
4. They have declared themselves a Court of Appeals and have Denied Appeals to his Maj<sup>ty</sup> contrary to the Commission.
5. They have made Severall Laws absolutely repugnant to the Laws of England, and derogatory to his Maj<sup>ties</sup> Royall authority.

6. They have not given his Maj<sup>y</sup> an account of their proceedings nor transmitted their Laws although positively required to be done every Three months at least and have particularly ordered That the Laws for taxing the people, and freeing themselves and their party shall not be Sent to his Maj<sup>y</sup>.

7. The Councill is overuled by Waldern, Martin and Some others who doe deny his Maj<sup>ty</sup> Sovereignty in the province, and upon Sundry occasions have uttered words of a dangerous and pernicious consequence.

All which wilbe made out upon Oath if yo<sup>r</sup> Lordships shall think ffit to require it.

Read y<sup>e</sup> 6 Sept. 1681. Read again 10<sup>th</sup> Sept. 1681.

ORDER FOR LETTER TO THE MASSACHUSETS.

*State Papers, Colonial, Entry Book, 106, p. 292.*

At the Committee of Trade & Plantacons  
in the Council-Chamber at White Hall  
Thursday the 18<sup>th</sup> October 1681.

Present: Lord Privy Seale, Earl of Clarendon, Earl of Bath, Earl of Craven, Earl of Halifax, Earl of Conway, Lord Visco: Hyde, M<sup>r</sup> Sec<sup>y</sup> Jenkins, M<sup>r</sup> Godolphin.

. . . . .  
Life to ye  
Massachusetts. . . . Their Lo<sup>ps</sup> order a Letter to bee prepared from His Ma<sup>y</sup> to the Massachusets, taking notice of the abuses committed in y<sup>e</sup> course of Trade contrary to the Acts of Parliam<sup>t</sup> and recommending vnto them M<sup>r</sup> Randolph Officer of His Ma<sup>ty</sup>'s Customs there whom His Ma<sup>y</sup> expects should bee countenanced by that Government,  
being

being well satisfied with his services and having therefore given him a fuller authority vnder the great Seal, letting them vnderstand that as His Ma<sup>y</sup> is ready to give them all protection, soe hee expects that they should bee obedient to his Laws. That they should hasten the sending over their Agents, His Ma<sup>y</sup> beleieving that many persons would have been willing to come if they had been fully instructed and impowred. That if they faile to obey His Ma<sup>y</sup> herein, His Ma<sup>y</sup> will take such further resolutions as are necessary to preserve His Authority.

*Let Culpeper.* My Lord Culpeper puts their Lo<sup>ds</sup> in mind of a Difference depending in New England between several persons and Colonies concerning the Narraganset Country and presents the names of fit persons vpon the place to bee Commis<sup>rs</sup> to enquire into the whole matter.

Their Lo<sup>ds</sup> doe hereupon Order that a Letter bee prepared for His Majesty constituting those persons Commis<sup>s</sup>ioners, w<sup>th</sup> power and directions to enquire into y<sup>e</sup> Titles which His Ma<sup>y</sup> and the several Colonies, or any other persons whatsoever have to the Jurisdiction and Soyle of that Province, and to Report the true state thereof to His Ma<sup>y</sup> for His determination.

L<sup>R</sup>E FROM Y<sup>R</sup> KING TO THE MASSACHUSETS.

*State Papers, Colonial, Entry Book, 61, p. 132. 21 Oct. 1681.*

Trusty and Welbeloved Wee Greet you Well.

According to an Act of Parliam<sup>t</sup> made in the 25<sup>th</sup> year of our Reign Wee thought fit to appoint Edward Randolph Esq<sup>r</sup> to be Collector searcher and Surveyor of our Customes  
in

in our Colony of the Massachusetts Bay to prevent the Abuses and Breaches of former Acts of Trade and encouragement of shipping and Navigation frequently practised and connived at in our said Government. And although wee are very well satisfied that the said Edward Randolph hath discharged himself with all fidelity & circumspection in his said Office, yet by reason that unlawfull trading is countenanced by you, all his care hath been of little effect for our service, you having suffered Attachments to be granted against our said Officer and his Deputies for doing their duty; And contrary to Law when the said Officers have prosecuted Offenders in o' name they have been obliged to deposite severall summs of mony before they could obteyn a tryall, and after such tryalls they have been made to pay costs, besides severall other hardships put vpon them Wee are further informed that you have refused to allow Appeales to be made to vs in matters relating to our Revenue, and that you have seized into your hands the Moyety of forfeitures belonging to vs by Law; Now though there are many things lying before vs concerning Our Government of the Colony of the Massachusetts Bay which require a Regulation and Settlement, Yet will wee forbear to mention the same, since by your Letter to one of our Principall Sec<sup>ies</sup> of State of the 3<sup>d</sup> of June last, Wee find that you doe intend to send persons authorized by you to satisfy vs concerning such matters as have been amiss in our said Colony, Who wee hope may ere this time be on their way hither, in regard the time is elapsed which wee had limited for their being here; Wee are not willing to beleive that their not coming sooner hath been by any designed delay, but wee cannot admitt of  
your



your excuse in your said Letter of the third of June to be sufficient, because it is not reasonable to doubt but that many of our good Subjects fitly qualified would be willing to attend vs here if they were fully instructed & authorised by you for it, and therefore if the same be not already done, wee expect that, setting aside such excuses as are not to be admitted, fit persons be sent without further delay. But for the present what wee require of you, Is, That you give all the countenance & encouragement to the before mentioned Edward Randolph and his Deputies in the execution of their Offices, with whose former execution of his Office wee are so well satisfied that wee have granted him a further authority vnder the great seale of England to enable him to perform his trust according to Law; And wee also expect from you that you cause restitution to be made of the mony leavyed from our said Officers, and that you give vs an Acco<sup>t</sup> of our Moyety of the said forfeitures by you received; That you take effectuall care that the Act for the encouragement of shipping & Navigation made in the 12 year of our Reign, & the Act for securing the Plantation Trade\*) be put in due execu<sup>cion</sup>, and that our said Officers may be permitted to prosecute all such as shall violate y<sup>e</sup> same without charge, as is vsuall in this our Kingdome It being Our Royall pleasure also to admit the (\* made in the 25<sup>th</sup> year of our Reign, and all other Acts concerning Trade) bringing of Appeales in all cases relating to our Revenue, wee require you to allow thereof from time to time. And as wee never have been wanting in giving you all due and equall protection with other our subjects, so wee expect that our Laws shall be as equally observed by you, and that accordingly  
you

you will yeild obedience to these our commands, and those formerly signified to you, and that you forthwith dispatch Agents to vs, sufficiently authorized and instructed in all matters relating to our Government vnder your care; in default whereof wee shall take such further resolutions as are necessary to preserve our authority from being neglected. But not doubting that your good affection towards vs and your prudence will prevent any such course, which wee are vnwilling to be brought to make vse of, Wee bid you heartily farewell; from Our Court at Whitehall this 21<sup>th</sup> of October in the 33<sup>th</sup> year of our Reign.

WILLIAM BLATHWAYT TO EDWARD RANDOLPH.

*Massachusetts Archives*, Vol. CVI. p. 246.

Whitehall the 22 October 1681

S:

I have Received yo<sup>r</sup> Two Letters w<sup>th</sup> y<sup>e</sup> enclosed to my Lord Culpepper and am glad you are safely gott on ship board, which I reckon halfe y<sup>e</sup> way to Boston: as I cease not to persecute you at all times with busines you will easily take upon you the troble of this letter to y<sup>e</sup> Massachusetts, since it is chiefly intended to recommend you to y<sup>e</sup> people, with what success I cannot tell. It is exceeding soft and gentle and meddles with nothing but y<sup>e</sup> sending Agents, but I haue Reason to hope that things will goe neuer the less well for y<sup>e</sup> mild way of Proceeding, there being but one thing wanting to sett all right.

I heartily wish you and y<sup>r</sup> ffamily may haue a Prosperous Voyage & a kind Welcome at Boston where you haue but

one rock to avoid w<sup>ch</sup> you ought to be aware of. I meane yo<sup>r</sup> letting them come within you after which they will easily giue you the Cornish Hugg.

Pray spare me not with your letters since I am really S<sup>r</sup> your most faithfull serv<sup>t</sup>

WILLIAM BLATHWAYTES.

Pray deliver y<sup>e</sup> Enclosed.

**M<sup>r</sup> RANDOLPH COMPLAINS IN HIS LAST LETTERS.**

*State Papers, Colonial, Entry Book, 61, p. 150 [1681].*

**Danforth's Faction.** That M<sup>r</sup> Danforth hath made a party ag<sup>t</sup> him in the Generall Court, giving out that none had power to feize Ships without a Warrant from the Gov<sup>r</sup> or from a Magistrate.

**Navall Officer.** That in opposition to M<sup>r</sup> Randolphs Commisfion a Law is made that all Veffells fhall clear with the Naval Officer lately established in that Colony againft the opinion and without the consent of the Governor.

**Acts of Trade 25 of the King.** That they have made a Law in March laft enforcing the ACTs of the 12 & 15 of the King, without taking notice of the 25<sup>th</sup> of His Ma<sup>ty</sup>, cheifly intended for the Trade of thofe parts.

**Damages.** That they forced him to give security to answer damages before Tryalls.

**Clearing of ships.** That hee is not permitted to fee the clearing of ships.

**Trade.** That notwithstanding his Appeals Ships are permitted to go away w<sup>th</sup>out giving security to stand a further Tryall.

That he is obftructed in all the parts of his Office.

INDIANS.

INDIANS. NAVIGATION AND TRADE.

*State Papers, Colonial, Bundle*, 53 (17). 15 Feb. 1681. [Printed document.]

Indians.

It is Ordered by this Court and the Authority thereof; that all *Indians* that belong to this Jurisdiction, except Apprentices or Covenant Servants for years, are to live among, & under Government of the Indian Rulers of *Natick*, *Punkepeng* or *Wamefit*, which are places allowed by this Court, and appropriated for the *Indians* to live in, Order to Regulate Indians. where there is Land sufficient to improve for many Families more than are of them: and if any shall refuse to comply with this Order, It is referred to the Select men of every Town by Warrant under their hand, to send such *Indian* or *Indians* to the House of Correction or Prison, until he or they engage to comply with this Order.

February 15. 1681.

For the satisfaction of

HIS MAJESTY

And the better regulating of the *Navigation* and  
*Trade* of this *Jurisdiction*:

And in Pursuance of a Law made *October the tenth*

One thousand six hundred seventy seven,

Referring thereunto.

Naval Office.

It is Ordered and Enacted by this Court and the Authority thereof, that the Act of Parliament made in the twelfth year of His *Majesties* Reign, *Entituled* an Act for encouraging

ing and encreasing of Shipping and Navigation; and the Act made in the fiveteenth year of His *Majesties* Reign, *Entituled* an Act for the encouragement of Trade, be forthwith Published in the Market Place in Boston, by beat of Drum; And that all Clauses in said Acts Relating to this Plantation be strictly taken notice of, and observed, as said Acts Require.

It is further Ordered by the Authority aforesaid, that a Naval Office Erected in *Boston* for Entring Bonds, receiving, and granting Certificates. of *Boston*, for the Entring of Ships and other Vessels, Outward and Inward Bound, for the taking of Bonds, receiving and granting Certificates for their Clearing, according as in said Acts is directed: And all Commanders and Masters of Ships and other Vessels are required to take notice hereof, and to make their Entries, to give Bonds and receive and produce Certificates in said Office as they are respectively Concerned, on the penalties in the aforesaid Acts of Parliament exprest.

Provided, such Vessels as pass to and fro within our Harbours, or Rivers, shall not be Obliged to Enter, and give Bond as abovesaid; nor such Vessels as pass from Port to Port on the Main Sea, on the Coast of *New-England*; Unless they take in for their own Stores, and Trade in some of *His Majesties* Colonies in *New-England* more then one Tun of each of the Commodities enumerated in said Acts.

*And for the due Execution of said Office*

*James Russel*  
Esq. Officer in  
*Boston.*

It is Ordered, That *James Russel Esqr.* who was chosen by this Court, *January* the eleventh one thousand six hundred and eighty, be the Officer, who shall have

have Commission under the hand of the Governour, or Secretary, and Seal of the Colony, and be Sworn by said Governour to the faithful Discharge of the same; which Officer so Authorized, shall keep fair Books of all Entries, Certificates and Bonds, which shall alwayes be liable to the view of any Officer, or other Person that may inform of the breach of said Acts; or other Laws in pursuance thereof, or referring to the Trade of this Jurisdiction.

And for the greater ease of the Town of *Salem* and adjacent Ports, *Benjamin Gerrish* is appointed the Officer in the Town of *Salem*, who shall in like manner be Sworn, and shall make Entries, take Bonds, and receive and grant Certificates, as the said Officer in *Boston*, is obliged to do: & shall also once in six Moneths Return fair Copies of all Bonds by him taken, unto said Officer in *Boston*; who shall in like manner from time to time, once in six Moneths deliver fair Copies of all Bonds to the Governour: and shall receive for his Service referring to the Premises such Fees as by Law are allowed to Recorders and Clerks of County Courts.

And for the Governours Signing a Certificate for their Clearing, the Fee shall be *two shillings*.

It is further Ordered by the Authority aforesaid, that if any Person shall desire and obtain a Special Court for the Trial of any Case referring to the Premises, he shall give in usual Caution to respond all Costs, before Warrants be issued forth, to assemble said Court and Jury; and if any person be damnified by false Information, wrongful

*Benj. Gerrish*  
Naval Officer at  
*Salem*.

His Fees as  
Clerks of County  
Co.

Gov. Fee for signing  
a Certificate.

expressly ag<sup>t</sup> his  
Majest<sup>y</sup> lett<sup>r</sup>  
Oct: 21: 1681.<sup>2</sup>

<sup>2</sup> The marginal note is in Randolph's handwriting.

wrongful Searching, or feizing any Goods, Ship, or other Vessel, he may Recover the same by an Action of the Case, in any Court or Courts of Judicature, according to the usual course of Law.

*And for the Encouragement of his Majesties Officer or Officers, and all Informers :*

It is hereby declared, That said Officer or Officers and Informers, shall from time to time be aided and assisted by all <sup>\* but not without.\*</sup> Marshals, Constables and other Officers, by Warrant\* from the Governour, Deputy Governour, or any Magistrate, in the prosecution of the breaches of said Acts of Trade and Navigation.

[And the Secretary is ordered to Signe all the commissions for said office, and cause the Courts order to be published w<sup>th</sup> the Acts of Trade, as is before provided.<sup>5</sup>]

*Whereas you J. R. are Chosen Naval Officer for the several Ports of the Massachusetts Colony, and have received a Commission from the Governour and Company of said Colony for the Execution of that Office, You do Swear by the Great Name of the ever-living God, that you will carefully and duely attend the Execution of the said Office, according to the tenour and true intent of your Commission, and the Laws of this Jurisdiction: So help you God.*

Naval Officers  
Oath.

It

\* Marginal note by Randolph.

<sup>5</sup> See *Massachusetts Records*, Vol. V. p. 337.

their Lawes were  
revised & many  
repealed in Jan.  
1690: but ye De-  
putyes would admitt  
of no more then  
this changing of  
words.<sup>6</sup>  
[the above written  
date is evidently a  
clerical error.]

It is Ordered by this Court and Authority thereof, that the 12<sup>th</sup> Section of the Capital Laws *title* Conspiracy Rebellion: and the 18<sup>th</sup> Section of said Laws, *title* Rebellious Son, and also the Law referring to *Christ mas*s, Page 57, 58. and the word *Common-Wealth* where it imports Jurisdiction, is hereby Repealed; and the word *Jurisdiction*, is hereby inserted.

Conspiracy. (Rebellion.)<sup>7</sup>

If any Man Conspire and Attempt any Invasion, Infurrection, or Publick Rebellion against the Kings Majesty, His Government here established, or shall endeavour to Surprise any Town or Towns, Fort or Forts therein, or shall treacherously and perfideously attempt the Alteration, and Subversion of our Frame of Polity or Government Fundamentally, he shall be put to Death.

(Numb: 6: 16: 2. Sañ. 3. 2: Sañ. 18. 2: Sañ 20 p. . . .)<sup>8</sup>

(This Law was made about the tyme they sett up to be a Common Wealth, & ought to be repealed.)<sup>10</sup>

FINIS.

[Endorfed] 15 Feb: 81.

To

<sup>6</sup> In Randolph's handwriting.  
<sup>7</sup> In Randolph's handwriting.  
<sup>8</sup> Note by Randolph.

<sup>9</sup> Note by Randolph.  
<sup>10</sup> In Randolph's handwriting.



TO ALL MASTERS OF SHIPS & VESSELS MERCH<sup>ts</sup> AND  
OTHERS WHOM IT MAY CONCERN. [1682]

*Massachusetts Archives*, Vol. LXI. p. 249.

Whereas his Maj<sup>ty</sup> by his Lett<sup>rs</sup> Patents under y<sup>e</sup> Great Seale of England bearing date at Westminster the 14 day of October in the 33 yeare of his Raigne hath erected an office of Collector Surveyor & Searcher of his Maj<sup>ties</sup> Customs within his Colony of New England under the managem<sup>t</sup> of the Comm<sup>r</sup> of the Customs in the Kingdom of England And by the same letters patents hath given & granted the said office unto Edward Randolph Esq. to be executed by himselfe or his sufficient Deputy or Deputyes as by the said lett<sup>rs</sup> Patents doth more at large appeare.

To prevent therefore such perills & inconveniencies as will ensue upon the non-observance of the severall Acts of Parlm<sup>t</sup> respecting the plantation Trade & to take away all colour of Excuse

These are to give notice that the said office of Collector, Surveyor and Searcher of his Maj<sup>ties</sup> Customs for the townes of ~~Boston Charlestown Hull~~ and the members thereof will be kept at the dwelling house & residence of the Said Edward Randolph where all persons concerned may have opportunity to make their entryes & receive needfull dispatches between the hours of nine and eleven in y<sup>e</sup> morning.<sup>11</sup>

AID

<sup>11</sup> The draft is in Randolph's handwriting.

AID DEMANDED BY EDWARD RANDOLPH TO SEIZE A VESSEL  
AT BOSTON FOR BRINGING IN A CARGO OF SUGAR.*Massachusetts Archives, Vol. CVI. p. 250.*

The Testimony of Dan<sup>n</sup> Turrell sen<sup>r</sup> Dan<sup>n</sup> stone both Aged about sixty yeares & Nathaniell Greenwood Aged about fifty yeares — testifieth & say that being in Company with Capt Thomas Brattle at the north end of this towne of Boston wee saw mr Randolph — following of us in the streete before docto<sup>r</sup> stones dore & Came upp with us att Edward Goodings hous<sup>r</sup> Corner & mr Randolph required him & demanded him as he was a Capt as he was a Comissioner & as he was a select or towne man to assist him mr Brattle asked by what Authority doe you Demand me he s<sup>t</sup> in his maiesties name or by his maiestes order mr Brattle Answered I am in his maiestyes service allready as I am a member of the Generall Court & can serve his maiefty but in one placce att one tyme & more words passed to that effect the twenty-eight of february 16<sup>81</sup> taken oath in open in Generall Court by ye 3 persons above mentioned 1<sup>st</sup> of March 1681 ”

“ EDWARD RAWSON Secret ”

“ Boston Feb<sup>r</sup> 28 : 81

The day above m<sup>r</sup> Edward Randolph came to my house about nine of the clock in the morning. desired a warrant for Assistance, Hee haveing as he said Seized a vessell, the day before, that ha[d] brought in Sugar, Contrary to the Acts of Trade but shee was removed from the place, and had, or he doubted they would take out the Sugar & put them into

John Endecotts warehouse I told him, He should have a warrant, & all necessary assistance in his Majestyes Service, But I was just goeing to the Court (w<sup>ch</sup> was adjourned to eight of the clocke) I was so late, expected there, & must hasten. Where, if it would be no p<sup>r</sup>judice, I desired he would come, and I would have a warrant ready for him. I directed him, to send me in his name by the door keeper, & he should have p<sup>r</sup>sent dispatch. He answered it was very well, he would come—thither to me p<sup>r</sup>sently. I accordingly hastened thither, & writt a warrant ready, but heard nothing of m<sup>r</sup> Randolph untill about twelve of the clocke, when coming downe to dinner, m<sup>r</sup> Randolph (walking on the Exchange) came to me. I asked why he came not for the warrant according to appointment, I had written it, & had it in my pockett ever since. He said, he had been at home ever since & expected to be sent for: but he then desired & I gave him the warrant. the copy of w<sup>ch</sup> is underwritten.

This I affirme to be the Substance of what passed between m<sup>r</sup> Randolph & me at that time, & am ready to depose it if need be

I should have added  
that at his goeing from my  
house, he said he would goe  
to Capt Hutchinsons for his helpe.

JOHN RICHARDS:"

" To the Constables of Boston or either of them, or marshall  
of the County of Suffolke.

Edward Randolph Esq<sup>r</sup> informing, that there is a Sloop  
or vessell that hath imported Sugar & Com<sup>m</sup>odities of plan-  
taion growth Contrary to the Acts in that case provided,  
w<sup>ch</sup>

w<sup>ch</sup> vessell is now in this Port of Boston, (these are in his ma<sup>ties</sup> name to require yo<sup>n</sup> to assist said m<sup>r</sup> Randolph in Searching for & seizing such vessell vessells or Goods in order to a Tryall, hereof faile not at yo<sup>r</sup> perill."

J R

THE PROTEST OF EDWARD RANDOLPH ESQ<sup>r</sup> CONSTITUTED  
& APPOINTED COLLECTOR SURVEY<sup>r</sup> & SEARCHER OF HIS  
MAJ<sup>ty</sup> CUSTOMES IN NEW ENGLAND BY LETTERS PATENTS  
UNDER THE GREAT SEALE OF ENGLAND, AGAINST THE  
PROCEEDINGS OF THE GENERALL COURT OF THE COLONY  
OF Y<sup>e</sup> MASSACHUSETTS BAY IN NEW ENGLAND. RELATING  
TO THE PLANTATION LAWES.

*Massachusetts Archives*, Vol. CVI. p. 256. 3 April 1682.

Whereas the Generall Court of this Colony at their last session p<sup>t</sup>tending the satisfaction of his Majty and Regulating the Navigation & trade of this Jurisdiction: Have Invaded the powe<sup>r</sup> granted only to the Gov<sup>r</sup>no<sup>r</sup> of his Majtyes colonye by an act of encouraging of Trade made in the 15<sup>th</sup> of the King and have translated that power upon the secretary of the Colonye (as by their written paper read by mr Greene upon the 25<sup>th</sup> day of March last doth Appeare) and have neglected to publish the Act made in the 25<sup>th</sup> yeare of the King entituled an act for regulating the Plantation trade, and have refused likewise to publish his Maj<sup>tyes</sup> Proclamation of the 24<sup>th</sup> of November in the 27<sup>th</sup> yeare of his Reigne Thereby not Allowing the Au<sup>'</sup>hority of the Co<sup>m</sup>ms<sup>ns</sup> of his Maj<sup>tyes</sup> customes granted to them by the said Act, nor of the office of Collector Surveyor & Searcher of Majestyes Customes

Customes erected and established by his Maj<sup>ties</sup> letters Patents under the great seale of England bearing date at Westminster *the 15<sup>th</sup>* day of October in the 33<sup>th</sup> yeare of his reigne And further that they may not be thought regardless of his Maj<sup>ties</sup> Comands Have mentioned in the sayd written paper That if any person shall desire and obteyne a speciall Court relating to the p<sup>r</sup>misses " He shall Give in Caution to respond " all costs before warrants be Issued forth to Assemble said " Court & Jury and if any person be damnified by false Information wrongfull searching & seizing any Good<sup>e</sup> ship " or other vessell he may recover the same by Action of the " case in any Court or Courts of Judicature according to the " usuall Course of law Whereas his Maj<sup>ty</sup> in his Royall letters " to the Gov<sup>r</sup>no<sup>r</sup> & Company of this Colonie bearing date " 21<sup>st</sup> of october 1681 doth expressly require that they give " all Countenance & encouragement to Edward Randolph " and his deputies in the execution of their office " w<sup>th</sup> whose execution of his office wee are so well sattisfied that wee have Granted him a further Authority under the great seale of England to enable him to performe his trust according to law And wee also expect from you that you cause restitution to be made of the money levied from our said officers And that you give us an account of our moiety of the said forfeitures by you received and that you take effectuall care that the act for encouragement of shipping & navigation made in the 12<sup>th</sup> yeare of our Reigne and the act for securing the plantation Trade made in the 25<sup>th</sup> of our reigne and all other acts concerning Trade be put in due execution And that our said officers may be permitted to prosecute all such as shall violate the same without charge as is usuall in this our kingdom

dome It being our Royall pleasure to Admitt of the bringing of Appeales in all cafes relating to our revenue; wee Require you to Admitt thereof from time to time.

Now forasmuch as the said written paper & matters therein contained are repugnant to ye lawes of England and tend to avoid his Maj<sup>ties</sup> sayd letters patents and the Authority of the Commission<sup>ers</sup> of his Maj<sup>ties</sup> Customes in the plantations together w<sup>th</sup> the severall powers & Instructions granted by them to the sayd Edw Randolph w<sup>ch</sup> are Confirmed by ye above letters patents aforementioned thereby connive at and allow a . . . . lattitude in Trade then is warranted by any the said acts the said Edw<sup>d</sup> Randolph (as in duty bound) foreseeing the great Damages which will inevitably arise to his māj<sup>ties</sup> revenues by this above<sup>d</sup> repugnancy and Toleration in trade doth hereby openly Protest against the same, and doth charge the sayd Generall Court w<sup>th</sup> all the losses which doe & hereafter shall ensue for want of such their due Acknowledgment & publication of his Maj<sup>ties</sup> lawes mentioned in the sayd letters patents and the Authority of the sayd Commission<sup>ers</sup> thereby Asserted.

And the sayd Edward Randolph, doth further make knowne that notwithstanding the sayd written paper his Maj<sup>ties</sup> letters patents erecting an office of Collecto<sup>r</sup> survey<sup>r</sup> and searcher of his Maj<sup>ties</sup> Customes in New England and all the powers thereby granted to him by the sayd Commission<sup>ers</sup> are in full force & cannot be made voyd by any order law or written paper of this or any other jurisdiction in New England And that he is and shall be alwayes ready w<sup>th</sup> all diligence in pursuance of the sayd letters patents & acts of Parliament therein recited vigorously to execute the same as  
occasion

occasion shall present And lastly for his further Justification he doth desire that this his protest may be entered in due forme according to law dated in Boston the third day of Aprill 1682

ED RANDOLPH Coll<sup>r</sup>

Aprill 4. 1682 I then shewed m<sup>r</sup> Robert Havard of Boston publick notary ye protest above written but he being unwilling to be Concerned in it I thought it necessary for his Maj<sup>ties</sup> service to publish ye same this 6<sup>th</sup> day of Aprill 1682

ED RANDOLPH Collect<sup>r</sup>

RANDOLPH TO LIONEL JENKINS.

*State Papers, Colonial, Bundle 53 (19).*

Boston in New Eng<sup>d</sup>  
Aprill 11. 1682.

Right Hon<sup>ble</sup>

After my return from New Eng<sup>d</sup> in my attendance on y<sup>e</sup> Right Hon<sup>ble</sup> y<sup>e</sup> Lords of y<sup>e</sup> Committy for trade I represented y<sup>e</sup> Continued misdemeanors of this Governm<sup>t</sup> of Boston to their Lord<sup>sh</sup> in a short petition & prayed therein that a Quo Warr<sup>to</sup> might be brought against their Charter for vsurping libertyes not granted therein in order to obtaine a better reception of his Ma<sup>ties</sup> Lett<sup>rs</sup> Patents (w<sup>ch</sup> I carried ouer with me) erecting an Office of Collector of his Ma<sup>ties</sup> Customs and a Compliance with all y<sup>e</sup> Acts of Parlm<sup>t</sup> & his Ma<sup>ties</sup> Royall lett<sup>rs</sup> to that Gom<sup>t</sup> requiring y<sup>e</sup> same. I did also preferr to his Ma<sup>tie</sup> in Councill feuerall Articles of high misdemeanor  
against

against M<sup>r</sup> Danforth Deputy Gou<sup>r</sup> of this Colony, & cheife promoter of the opposition made against his Ma<sup>ties</sup> Commands here, which were all proued vpon Oath at y<sup>e</sup> Councill board before y<sup>r</sup> Hon<sup>r</sup> & diuers of y<sup>e</sup> Lords of y<sup>e</sup> Councill: But since his Ma<sup>tie</sup> hath heitherto taken no publick notice thereof to this Gom<sup>t</sup> or to M<sup>r</sup> Danforth: and that Copies both of y<sup>e</sup> Petition & Articles are transmitted heither (as I told y<sup>r</sup> Hon<sup>r</sup> I had reason to suspect would be done) they are resolued to prosecute me for the same, as a Subverter of their Gom<sup>t</sup> & if they can by any meanes they will take away my life, vpon their Law reuiued this Generall Court, where in they haue also made a Law in opposition to the directions in his Ma<sup>ties</sup> lett<sup>r</sup> patents: against which I haue publicly protested, and that is looked vpon as an aggravation of my former Crime. frydaye next I am to be examined; imprisonment is the least I expect, and according as Wee heare from Eng<sup>d</sup> I shall be proceeded withall. His Ma<sup>ties</sup> Continued favour to this people hath hightned their Contempts: Some giue out that 'tis not in his Ma<sup>ties</sup> power to reform these irregularities, the publishing my protest hath made a great breach amongst them. The Gou<sup>r</sup> who is an honest gent but very much in yeares and some of the magistrates, oppose these heady practices what they can: but when any thing comes to a vote It's carried against them. His Ma<sup>ties</sup> lett<sup>r</sup> are of no value here Nothing will serue but bringing a Quo Warr<sup>to</sup> against their Charter: which may saue my life & reform this Gouvern<sup>t</sup> I humbly beseech y<sup>r</sup> Hon<sup>r</sup> by a speedy dispatch to haue these two Lawes in y<sup>e</sup> inclosed printed papers declared null by Order in Councill & sent ouer heither by Seuerall wayes of Shipping least they  
miscarry



miscarry and I am lost: the distance of place and hopes of troubles at home with the many Scandalous papers sent heither for y<sup>e</sup> benefitt & comfort of y<sup>e</sup> well affected makes this party thus daringly presume. I am preparing to make my defence. humbly begging y<sup>r</sup> Honors pardon and assistance in my difficultyes

I remaine y<sup>r</sup> Hon<sup>r</sup>

I haue wrote more largely  
to y<sup>e</sup> L<sup>ds</sup> of the Treasury to  
y<sup>e</sup> Comm<sup>r</sup> of y<sup>e</sup> Customs & to  
M<sup>r</sup> Blathwait of this matter.

most humble & most

obedient Seru<sup>t</sup>

EDRANDOLPH.

[*Addressed*] To the Right Hon<sup>ble</sup> S<sup>r</sup> Lionell Jenkin  
his Ma<sup>ties</sup> Principall Secretary  
at Whitehall.  
present.

[*Endorsed*] New Engl<sup>d</sup> Boston  
11 June Ap<sup>l</sup>  
M<sup>r</sup> Randolph.

#### DEPOSITION OF RANDOLPH AGAINST NOWELL.

*State Papers, Colonial, Bundle 53 (22), 3 May. 1682.*

Ed. Randolph Esq<sup>r</sup>: Collector Surveyor & searcher of his  
Ma<sup>ties</sup> Customs in New Eng<sup>d</sup> doth depose.

That upon his prosecuting John Endigott & John Curtis  
of Boston upon their breach of y<sup>e</sup> Act for preventing frauds  
etc: made in y<sup>e</sup> 14<sup>th</sup> of y<sup>e</sup> King at a Court held there upon  
y<sup>e</sup> 27<sup>th</sup> day of Aprill 1682 for affronting & forceably hindring  
said Dep<sup>t</sup> to goe aboard a Bark belonging to Sylvanus Davis  
of Boston to search for uncustomed goods, y<sup>e</sup> said Endigott  
&

& Curtis Confes'd y<sup>e</sup> fact, But pleaded That said Dep<sup>t</sup> produced no warr<sup>t</sup> from Lawfull Authority for his going aboard & searching said Bark whereupon said Dep<sup>t</sup> produced his patent under y<sup>e</sup> Great Seal of Eng<sup>d</sup> for his warr<sup>t</sup> & desired it might be openly read for satisfaction of y<sup>e</sup> people. Butt M<sup>r</sup> Noell some tyme a Minister & at present a Magistrate often opposed & would not suffer said Patent to be read in Court alledging that was nothing to y<sup>e</sup> purpose & would not serve herin or words to that effect, saying farther that by their Law, said Dep<sup>t</sup> was first obliged to obtaine a warr<sup>t</sup> from their Authority etc: And said Noell did also openly declare that said Act of Parlm<sup>t</sup> for preventing frauds was of no force with them, whereupon s. Dep<sup>t</sup> produced an Order from y<sup>e</sup> Court of Assistants made Dec<sup>ber</sup> 25<sup>th</sup> 1680 whereby Tymothy Armitage was fined 40<sup>th</sup> for breach of that Clause of said Act of parlm<sup>t</sup> upon which said Endigott & said Curtis are now prosecuted. Said Noell replied that the said Order was vacated & that the Gen<sup>l</sup> Court had directed a review of that case, & further saith not.

ED. RANDOLPH. Cott.

Read at a Court held in Boston May y<sup>e</sup> 2<sup>d</sup> 1682 but my Oath not taken to it tho' I pres'd it.

E. RANDOLPH.

[*Endorsed*] Deposition of E: R: against M<sup>r</sup> Noell. Rec<sup>d</sup> 23 June 1682. He Refused to have M<sup>r</sup> Randolphs Pat<sup>t</sup> Read in Court & disallowed the Act of prevent<sup>s</sup> frauds, made y<sup>e</sup> 14 of y<sup>e</sup> K<sup>t</sup>, to be of any force w<sup>th</sup> them.

ARTICLES OF HIGH MISDEMEANORS<sup>RS</sup> EXHIBITED AGAINST A  
 FACTION IN THE GENERALL<sup>LL</sup> COURT SITTING IN BOSTON THE  
 15<sup>TH</sup> DAY OF FEBRUARY 1681, TO WITT, AGAINST THO:  
 DANFORTH DEPUTIE GOVERNO<sup>R</sup> M<sup>R</sup> GUGGINS SENI<sup>R</sup> M<sup>R</sup> JA:  
 RUSSELL. M<sup>R</sup> SALTENSTALL SENIO<sup>R</sup> M<sup>R</sup> SAMLL NOEL M<sup>R</sup>  
 JOHN RICHARD. M<sup>R</sup> DAVIE. M<sup>R</sup> GIDNEY AND M<sup>R</sup> APPLETON  
 MAGESTRATS AND AGAINST JOHN FISHER; ELISHA  
 COOK, THO. BRATTLE SENI<sup>R</sup> ANTHONY STODDER SENIO<sup>R</sup>.  
 BATHURST, HATHORN, WAIT, JOHNSON. ELISHA HUTCH-  
 SON, SPRAGG, OAKES, HOLBRUCK, CUSHION, HAMOND &  
 PIKE, DEPUTIES, AND ALL MEMBERS OF THE S<sup>D</sup> GENERALL<sup>LL</sup>  
 COURT: BY EDWARD RANDOLPH COLLECTOR<sup>R</sup> ETC: OF HIS  
 MAJ<sup>TY</sup><sup>RS</sup> CUSTOMES IN NEW ENGLAND.

*State Papers, Colonial, Bundle 53 (14.), 28 May, 1682.*

1. That the f<sup>l</sup> faction, the Governo<sup>r</sup>, not consenting therto,  
 have refused to publish his Ma<sup>ties</sup> Royall proclamacon of the  
 24<sup>th</sup> of Nov<sup>r</sup> in the 32 year of his reigne, sent by his Ma<sup>ties</sup>  
 speciall comānd and received by this govern<sup>t</sup> in Octo<sup>r</sup> 1680,  
 wherein amongst other Acts of parliam<sup>t</sup> the observacon of  
 the Act for better securing the plantacon trade made in the  
 25<sup>th</sup> year of his Ma<sup>ties</sup> reigne, in all his Ma<sup>ties</sup> Colonies &  
 plantacons is required.

2. The f<sup>l</sup> faction have refused to repay mee severall sum<sup>s</sup>  
 of money which I was forced to deposit in Court before I  
 could proceed to tryall of causes relating to his Ma<sup>ties</sup> con-  
 cerns, by vertue of an order of Court made Octo<sup>r</sup> the first  
 1681. No law of this Colony directing the same, though by  
 his Ma<sup>ties</sup> royall Lett<sup>s</sup> of Octo<sup>r</sup> 21<sup>th</sup> 1681 they are perticularly  
 required therunto.

3.

Ms. A. 9. 1.

3. The 1<sup>st</sup> faction have refused to declare and admit of his Maj<sup>ties</sup> Lett's patents bearing date att Westminster the 15<sup>th</sup> of Octo<sup>r</sup> in the 33 year of his reigne, Erecting an Office of Collecto<sup>r</sup> etc: of his Ma<sup>ties</sup> customes in New England, & of the powers granted to his Ma<sup>ties</sup> Officer by the same, though often pressed therunto in the gener<sup>l</sup> Court, by the Governour, Majo<sup>r</sup> Dudley & severall of the Magestrats in this Colonie.

4. The 1<sup>st</sup> faction vnder pretenc of satisfaction of his Maj<sup>ties</sup> and regulating the trade of this Colony, in oposition to y<sup>e</sup> 1<sup>st</sup> Officer or Collector of his Ma<sup>ties</sup> customes, have confirmed the place and powers of the Collecto<sup>r</sup> of the customes and imposts laid vpon Wines and strongwaters imported into their Colony, sett vp by A Law made in their Countrey 1645 their present Navall Offic<sup>r</sup> haveing been cheife Collecto<sup>r</sup> of those duties above A year before this Navall Office was ordered, as by their Law Navall Office doth appear.

5. The 1<sup>st</sup> faction continue to exercise the power of Governo<sup>r</sup> & Court of Assistants, which through the inadvertancy of former Governo<sup>r</sup> the Court of Deputies have assumed, to hear, repeal and determine in civill cases, which for want of Education, and being vnder no perticuler Oath they are vncapable to manage, So that by their Numbers outvoting the Governo<sup>r</sup> and Court of Assistants his Ma<sup>ties</sup> subjects greatly suffer in their Estats, and besides their is no such power granted them in their Charter.

6. The said faction have neglected to repeal all Laws of their Colony contrary to the Laws of England, although required therunto by his Ma<sup>ties</sup> Lett's of the 28<sup>th</sup> of June 1662. And the observanc theroff promited by their Agents at  
that

that time, and also by perticuler direction from the R<sup>t</sup> Hono<sup>ble</sup> the Lords of the Co<sup>m</sup>ittee of trade and planta<sup>ti</sup>ons to their late Agents in 1678 by which meanes coining money (acknowledged in their Agents petition to his Ma<sup>tie</sup> A great crime & misdemeano<sup>r</sup>, who then craved his Ma<sup>ties</sup> pardon to the govern<sup>t</sup> for the fame) is continued to this day, their Laws made in 1645, seting vp a custome Officer; and their law made in 1670. laying customes and imports vpon all goods and merchandize whatsoever, brought into their Colonie, As also their Laws Ecclesiasticall and all other Laws imposing vpon Mens consciences & Estats, being repugnant to the Laws of England are continued in force & pra<sup>c</sup>tise.

7. The f<sup>st</sup> faction have refused to admit of his Ma<sup>ties</sup> Lett's patents bearing date att Westminster the 19 day of May in the 32 year of his Ma<sup>ties</sup> reigne granted to Will<sup>m</sup> Blathwait esq<sup>r</sup> erecting an Office of Surveyo<sup>r</sup> and Auditor gener<sup>l</sup> of all his Maj<sup>ties</sup> reuenues arising in America, and do aproprate to themselves the ffines, fforfeitures. etc: Which appear by the said Lett's patents to belong to his Ma<sup>tie</sup> And make the condition of all recognizances and penall bonds payable to the Treasurer of the Countrey and not to the King.

Boston. May 28. 1682 :

EDRANDOLPH Co<sup>th</sup>.

[*Endorsed*] Articles against the  
faction in y<sup>e</sup> Gen<sup>l</sup>  
Court in Boston.

Rec<sup>d</sup> 23 June 1682.

REASONS

REASONS OF MY PROTEST AG<sup>ST</sup> THE LAW MADE BY A FACTION  
IN THE GENER<sup>LL</sup> COURT ASSEMBLED IN BOSTON FFEBR 15<sup>TH</sup>  
1681 SHEWING THE REPUGNANCY THEROFF TO THE LAWS  
OF ENGLAND AND HIS MA<sup>TIES</sup> LETT<sup>S</sup> PATENTS, ERECTING  
AN OFFICER OF COLLECTO<sup>R</sup> OF HIS MA<sup>TIES</sup> CUSTOMES IN  
NEW ENGLAND, BEARING DATE AT WESTMINSTER THE 15<sup>TH</sup>  
OF OCTO<sup>R</sup> 1681.

*State Papers, Colonial, Bundle 53 (27).*

1. The Law entitled Navall Office is in purfuanc of a  
Law made the 10<sup>th</sup> of Octo<sup>r</sup> 1677. referring therunto by the  
Law made Octo<sup>r</sup> 10<sup>th</sup> 1677, It is ordered that all Mast<sup>s</sup> of  
Vessells ariving in any port of this jurisdiction, do yeild  
faithfull obedienc vnto the Act<sup>s</sup> of trade & Navigation on  
penalty of suffering such forfeiture as in the s<sup>t</sup> Act<sup>s</sup> are  
perticularly expressed; And the Governo<sup>r</sup> & Council and  
Officers com<sup>mission</sup>ated by them are hereby required to see to  
the strict observa<sup>cion</sup> of the s<sup>t</sup> Act<sup>s</sup>; Which Law is onely a  
declaration & owning of the Act<sup>s</sup> of trade according to  
which al m<sup>ns</sup> &c. are obliged to conform, Moreover the  
Law entitled Navall Office doth enact that the Act for en-  
couraging & encreasing shipping etc. Made in the 12<sup>th</sup> year  
of the King, and the Act for encouraging of trade, made in  
y<sup>e</sup> 15<sup>th</sup> year of the King (but never till then) bee published  
by beat of Drum, wholly omitting the Act for Tunnage and  
poundage made in the 12<sup>th</sup> year of the King, the Act for  
preventing ffrauds made in the 14<sup>th</sup> year of the King, and  
the Act for the better securing the planta<sup>cion</sup> trade made  
in the 25<sup>th</sup> year of the King vpon which the sole managm<sup>t</sup> of  
the

the customes in England doth depend, in pursuanc wherof his Ma<sup>ties</sup> said Lett<sup>rs</sup> patents were granted.

2. Their setting vp a Navall Office & Officer to make entries, etc. without consent of the Governo<sup>r</sup> is repugnant to the 1<sup>st</sup> Act in the 15 of the King, where by the Law the power is invested in the Govero<sup>r</sup> and not one word of a deputie Governo<sup>r</sup> in itt.

3. Their apointing Mast<sup>rs</sup> of Ships to enter outward & inward bound w<sup>th</sup> their Navall Offic<sup>r</sup> is repugnant to the 14<sup>th</sup> of the King wherin all Mast<sup>rs</sup> of ships and Vessells outward and inward bound, are required to make their entry vpon Oath, & to signifie & declare in writing vnder their hand vnto the person or persons which shall bee apointed by his Ma<sup>tie</sup> for managing the customes etc :

4. Their requiring by the 1<sup>st</sup> Law all Mast<sup>rs</sup> of ships & vessells to give bonds in the 1<sup>st</sup> Office, is repugnant to y<sup>e</sup> Act made in the 25 of the King, wherin only the Govero<sup>r</sup> of his Ma<sup>ties</sup> Colony is required to take bond.

5. The enjoyning of Mast<sup>rs</sup> to receive & produce certificates in 1<sup>st</sup> office is contrary to the 9<sup>th</sup> article of Instructions given mee, by the R<sup>l</sup> hono<sup>ble</sup> the Co<sup>m</sup>missio<sup>n</sup> of his Ma<sup>ties</sup> customes, wherin I am required to take care, y<sup>e</sup> before lading of the Enumerated Co<sup>m</sup>modities, the ship do first give in sufficient bond, which I cannot do, when I know not the time of y<sup>e</sup> ships entry nor giveing bond, or to what place shee is bound.

6. It is also contrary to the 13<sup>th</sup> article of 1<sup>st</sup> Instructions, wherin I am required to take care that the security given to the respective Governo<sup>r</sup>s of New England bee of some sufficient, able person, and an Inhabitant of that Countrie,  
which

which for the afore<sup>d</sup> reasons I am not capable to doe; And in the 1<sup>st</sup> 13<sup>th</sup> Article of my Instructions it is further directed for the better avoiding false and counterfeit Certificats, that I admit of no Certificate of any shippinge haveing given bond, nor of anie shipp having discharged her lading in England Wales or Barwick, but such as shall come to mee vnder the hand and seal of the Custom<sup>r</sup> & patent Collecto<sup>r</sup> etc. since their 1<sup>st</sup> Law was made, but four Mast<sup>s</sup> have entred with mee, and I have seen but three Originall Certificats, & those from Virginia, which the Governo<sup>r</sup> was pleased to stop in his hands on purpose to show mee.

The Ketch Swallow of Salem Benjamin Pittman m<sup>r</sup> and the Ketch Rebecca of Boston Alex<sup>dr</sup> Coale m<sup>r</sup> entred in the Office May the sixth instant, producing their Clearing from Carlile, but I could never see those Certificats; however vpon Information I have seized in a ware-house a quantity of Scotch's Goods the doors being left open.

In their Law Navall Office it is provided that such Vessells as pass too and fro within their Harbours & Rivers, shall not bee obliged to enter & give bond as aboves<sup>d</sup>, or pass from port to port on the maine Sea in the coast of New England, vnless they take in more then one Tun of the Enumerated Commodities, so that any boat may lawfully carry one Tun of each sort of 1<sup>st</sup> Commodities, which is eight Tun, without giving bond, and putt them aboard ships trading without comand as was done in the year 1680 aboard the Ship John of Dublin, Peter Lawrenc m<sup>r</sup> where they know I cannot go aboard to seize.

Law Navall Office — “and for the due execution of the 1<sup>st</sup> Office, it is ordered that James Russell Esq<sup>r</sup> who was  
chosen



chosen by this Court Jan<sup>y</sup> the 11<sup>th</sup> 1680 bee the Officer" — in their Law Book page 67 title Impost made 1645. This plainly appears to bee no new Office, for it is in that Law ordered, — "that every person, Merchant, seaman. etc: that brings Wine or strong waters into any of our harbours in any Ships or Vessells whatsoever (except they come from England directly as their first port) before they land any of the 1<sup>st</sup> Wines, shall first make entry of as many Butts as they shall putt on shoar and by A noat vnder their hands, delivered to the Offic<sup>r</sup> that is to receive the customes att his house vpon paine of fforfeiture and confiscation of all such Wines as are landed before such entry made whersoever found; And bee it further ordered that the cheife Offic<sup>r</sup> or Custom<sup>r</sup> shall have vnder him A Dep<sup>y</sup> or deputies who shall bee as Searchers or Waiters in severall places to take vp such Wines by order of the 1<sup>st</sup> cheife Officer." — Rich<sup>d</sup> Russell the ffather of James Russell Executed this Office many years, after whose decease Cap<sup>t</sup> Hull was apointed to succeed him, and Jan<sup>y</sup> 11<sup>th</sup> 1680 Cap<sup>t</sup> Hull was put out, and said James Russell was then put into Cap<sup>t</sup> Hull's place, so that this Naval office pretended to bee sett vp for fatisfaction of his Ma<sup>tie</sup> and regulating of the trade of this Colony, is A fraud put vpon his Ma<sup>tie</sup>, & a continuanc of the old office vnder A new name, but with this advantage, for mentioning the words "penalties and fforfeitures vpon breach of Acts of parliament" they prevent short entries and so greatly encrease their customes.

Law Navall Office — "who shall have Cōmission vnder the hand of the Governo<sup>r</sup> or Secretarie and Seal of the Colony and bee sworn by 1<sup>st</sup> Govero<sup>r</sup> to y<sup>e</sup> faithfull discharge of  
the

the same" — the Governo<sup>r</sup> absented himselfe from that Councill, and m<sup>r</sup> Rawson the Secretary granted the Cōmission, & the Deputie Governo<sup>r</sup> Danforth administred the Oath to m<sup>r</sup> Russell and Gerish his Deputie, soe their Office is void by their owne Law.

Law Navall Office — "for the greater ease of the Town of Salem and adjacent ports, etc:" — the meaning is, for the better collecting of the customes and duties imposed on wines and other Cōmodities imported into those Towns by shipping from England, Wales, Scotland, etc: for it matters not whence the shipp comes, so the Countrey duties are paid.

Law Navall Office — "and for the Governo<sup>r</sup> signeing A Certificate for the clearing the fees shall bee two shillings" — too weak an Engine to entrapp A prudent Governour.

Law Navall Office — "It is ordered that if any person shall desire to obtaine A speciall Court, for the Tryall of any case refering to the premisses, hee shall give in usuall caution to respond all Costs. etc: and if any person bee damnified by wrongfull Searching & seizing hee may recover the same by Action in any Court of judicature" — this is repugnant to the 14<sup>th</sup> of the King, where if Officers apointed for Managing the Customes bee sued, it shall bee lawfull for them to plead the gener<sup>l</sup> issue in any of his Ma<sup>ties</sup> Courts of justice, or other Courts where the matter shall bee depending; and the Judges are required to admit the same, and to acquit and indemnifie them, etc: This is onely to secure the irregular Traders, for if I seize anie Ship or Vessell not legally quallified, her entry in this Navall Office is A sufficient plea;

the Countrie being obliged to stand by their own Law may cast mee [in] Goal for dā damages.

As for Mast's bound for the port of Boston with prohibited Goods, they stay below the Castle till they have disposed of them, and then enter att this Navall Office from ffranc, Canaries. etc: either in their Ballast or Loaden with Salt, as is practised this year at Boston.

Law Navall Office — "and for encouragment of his Ma<sup>ties</sup> Offic's and all informers, it is hereby declared that 1<sup>st</sup> Officer or Officers & Informers shall bee assisted by all Marshalls, Constables, etc: by warr<sup>t</sup> from the Govero<sup>r</sup>, dep<sup>y</sup> Governo<sup>r</sup> or Magestrats" — in their 1<sup>st</sup> Law Book page. 68. titled Cuf-tomer's power made 1645. It is ordered "that the said Officer or his Deputie hath hereby power and is required to go into all houses where hee knows or suspects anie Wine or strongwater to bee. etc. and also to seize and take possession for What custome is due and is refused to bee paid. etc: And all Constables and other Officers are hereby required to assist in helping to break open such houses or Cellars of the owners of such Wines. etc: and if anie Smith, Cart<sup>r</sup>, owner of Boat, porter or other person that shall bee required by the Officer to help and assist in takeing and transporting such wine for the Countries v<sup>se</sup> refuse, hee shall forfeit to the Countrey ten shillings to bee levied by the Constable," but seizing any Shipp or goods without such warr<sup>t</sup> is expressly against their Law,

The 6<sup>th</sup> of this instant May arived from Cales (as was supposed) the Ship Johanna of passcataque, I was informed the Goods were put on shoar in the night and put into A Warehouse in Boston; immediatly I desired the Govero<sup>r</sup>'s Warr<sup>t</sup>,  
which

which hee was willing to grant mee, but finding no Law in the Book of rates for breaking open Warehouses and suspected places to search for prohibited Goods in the plantations, I could do nothing further in itt.

Vpon the arivall of the Ketch Rebecca from Carlile with Scotish Goods to Boston, I also prest for A Warrant to search A dwelling house where I had certaine information the Goods were caryed, but for the same reason could obtaine none

The Ship Hope of Boston John Place m<sup>r</sup> arived from the Canaries (as was beleevd) thirty pipes of Wine were taken out of her, and put into A Cellar in Boston; m<sup>r</sup> Russell the Navall Officer is informed therof, and grants A Warr<sup>t</sup> to A Constable to get assistanc and break the Cellar open to seize the Wine, because vnloaden before entrie and the Country dutie not agreed for; But the mast<sup>r</sup> or Merchant perceiving I was ready to enter the Cellar, so soon as opened by the Constable, went & entred at the Navall Office & paid the duties for Madera Wines, however I seized the Ship for his Ma<sup>y</sup> and expected A tryall shortly for her, and for the Scotish Goods seized in a Warehouse. By all which it plainly appears that notw<sup>th</sup>standing all my charg and trouble, I am able to do his Ma<sup>tie</sup> little service in this place, till the Navall Office bee made void, and the gener<sup>l</sup> Court vnanimously declare and allow of the Office of Collecto<sup>r</sup> &c. of his Ma<sup>ties</sup> customes, established by Lett's patents vnder the great Seal; for performing wherof the Governo<sup>r</sup>, m<sup>r</sup> Stoughton, Majo<sup>r</sup> Dudley and other Magestrats often pres<sup>s</sup> them, but they would not assent to itt, hoping by this device to elude his Ma<sup>tie</sup>, to mainteine their Law & right of makeing Officers, continue their customes and hinder anie person from acting  
in

in their Colony by A power not derived from themselves.  
All which is humbly submitted

By

EDRANDOLPH COH.

[*Endorsed*] Reasons of my Protest.

Rec<sup>d</sup> 23 June 1682.<sup>12</sup>

AN ACCOUNT OF LANDS RENTS FINES & FFORFEITURES ARISING & BECOMMING DUE TO HIS MA<sup>TIE</sup> IN Y<sup>E</sup> COLONY OF Y<sup>E</sup> MASSACHUSETTS BAY IN N. ENG<sup>D</sup>.

*State Papers, Colonial, Bundle 53 (35), 29 May, 1682.*

[*Sec*] 1. Eight townes lying betwixt y<sup>e</sup> Northern & Southern bounds of New plymouth & the Southern line of ye Massachusetts Bay in New Eng<sup>d</sup> viz. the townes of Milton Brantree Weymouth Hengham Dedham Medfield Mendham Reatham & Porcester all which places are distinct & not included in the Grants of either Colony 3 miles distant to the fouthward from Charles Riuer being the southern bounds of the Bostoners charter and a direct line from y<sup>e</sup> Riuer Cohassett or Conehassett westward being the Northernmost bounds of N. Plymouth Colony. these townes containe nigh 900 families & are seated in a fruitfull soile.

2. 41 q̄ters of wheat due to his Ma<sup>tie</sup> from y<sup>e</sup> Gou<sup>r</sup> & Company of ye Mafs: Bay as lord Proprietor of the province

<sup>12</sup> See *Rhode Island Colonial Records*, Vol. III. p. 110, for the order of the Governor and General Council of Rhode Island, dated 28th of March, 1681, establishing a Naval Office at Newport, which was confirmed by an

Act of the Assembly on the 3rd of May, 1682. The full text of the confirmatory Act is given in the *Laws and Acts of Rhode Island*, printed in 1730, in the possession of the Law School Library of Harvard University.

ince of Maine being a quit rent for 41 yeares due vpon pasing the Patent of that Province to S<sup>r</sup> ffardinando Gorges. I haue charged this vpon ye Gōm but they say y<sup>e</sup> Patent lookes back onely to ye beginning of laſt Hollands warr but I think thoſe who will not own ye Authority ought not to haue y<sup>e</sup> benefitt of his Ma<sup>ty</sup> Grant.<sup>13</sup>

3. the ſum of 20<sup>n</sup> due to his Ma<sup>ty</sup> being the Moiety of a fine paid by Tymothy Armitage by an Order of a Court of Boſton bearing date 25 Dec. 1680 : as by ye ſaid Order doth appeare here with ſent.

4. the ſum of 10<sup>n</sup> receiued by M<sup>r</sup> James Ruſſell Country treaſurer : due from Peter Lawrance by Bond for breach of ye A<sup>c</sup>t of y<sup>e</sup> 14<sup>th</sup> of ye King as by the 1<sup>st</sup> Bond here with ſent doth appeare.

5. ffines & forfeitures receiued by the ſeuerall treaſurers of this Colony at y<sup>e</sup> leaſt computation 400<sup>n</sup> p añ ſinc the tyme of ye firſt holland warr amounts to . . . Customs & impoſts & Pouder money laid vpon all ſhipping & Merchandize imported this Colony from England Wales & ye Plantations yearly aboute 800<sup>l</sup> is . . .

Boſton. 29<sup>th</sup> May 1682.

EDRANDOLPH.

[*Endorſed*]      an Account of Lands  
ffines and forfeitures  
belonging to his maie<sup>ty</sup>  
in New England.

Rec<sup>d</sup> 23 June 1682.

RANDOLPH

<sup>13</sup> By the Charter of the Province of Maine of the 3rd of April, 1639. Sir Ferdinando Gorges, his heirs and ſucceſſors, were to pay yearly to the King, his heirs and ſucceſſors, one quarter of wheat, and alſo one fifth of the gold and ſilver found, as well as the fifth part "of the clear yearly Proffit of Pearl Fiſhing."

## RANDOLPH TO JENKINS.

*State Papers, Colonial, Bundle 53 (23).*Right Hon<sup>ble</sup>Boston : May 29<sup>th</sup> 1682.

This Gōm<sup>t</sup> upon y<sup>e</sup> Newes of y<sup>e</sup> dissenters being imprisoned in Eng<sup>d</sup> and his Ma<sup>ties</sup> bringing a Quo Warr<sup>to</sup> against the Charter of London, believe it now tyme to make their application to his Ma<sup>tie</sup> by their Agents, whose instructions are to denye or extenuate the Complaints presented to his Ma<sup>tie</sup> against them by my selfe or other persons: To defend their title to y<sup>e</sup> Land claymed by M<sup>r</sup> Mason: To maintain their Right of Imposing Customs & imposts upon goods & Merchandize imported their Colony: To Justify their setting up an Officer in opposition to y<sup>e</sup> Officer erected here by his Ma<sup>ties</sup> lett<sup>rs</sup> patents. To obtain his Ma<sup>ties</sup> pardon & confirmation of their Charter and Lastly (if by any meanes) to gett me removed from my place & Office. I have sent over severall papers & new Articles to M<sup>r</sup> Blathwayt to be Communicated to y<sup>r</sup> Right Hon<sup>ble</sup> the Committy of trade & plantations: containing new matter of fact: together with their Lawes & orders of Court attested by their Sec<sup>ry</sup> to confirm y<sup>e</sup> Misdemeanors I have objected against a faction who out vote y<sup>e</sup> Gov<sup>r</sup> & the honest party in their Gen<sup>l</sup> Court: which is the cheife reason of this opposition & dispute with all his Ma<sup>ties</sup> Lawes & Commands.

Their Agents I hope will be more ingenuous then to deny

Fishing." See *Sir Ferdinando Gorges and his Province of Maine*, Prince Society, by James Phinney Baxter, Vol. II. p. 128.

deny the plain matter of fact, as followes. That their Gen<sup>l</sup> Court have not owned his Ma<sup>ties</sup> lett<sup>rs</sup> Patents erecting an Officer of Collector of his Ma<sup>ties</sup> Customs in New Eng<sup>d</sup> & their setting up an Officer without the Gov<sup>rs</sup> approbation, which is Contrary to the Lawes of Eng<sup>d</sup> & their Charter. That upon my desiring my Commission to be read openly in Court it was denied & opposed by M<sup>r</sup> Noell late minister & now a Magistrate. That the Gov<sup>r</sup> Major Dudley & severall of y<sup>e</sup> Magistrates opposed the passing their Law Navall Officer & that Danforth their Deputy Gov<sup>r</sup> & his party presd it, & contrary to that Law also administred an Oath to their Officer & his deputyes. That to this day they have refused to pay me the money I expended in Court for prosecuting seizures made in his Ma<sup>ties</sup> name: tho required thereunto by his Ma<sup>ties</sup> last letters sent to their G<sup>ov</sup>m<sup>t</sup> to be repaid me, being forc'd from me by an Arbitrary order: & lastly That they have likewise refused to allow of his Ma<sup>ties</sup> lett<sup>rs</sup> Patents granted to Will. Blathwayt Esq<sup>r</sup> erecting an Officer of Surveyor & Auditor Gen<sup>l</sup> of his Ma<sup>ties</sup> Revennues in America. I have made a Seizure of a Ship belonging to one M<sup>r</sup> Shrimpton and a Ketch Loden with Tobacco belonging to M<sup>r</sup> Kellon Brother in Law to Cap<sup>t</sup> Richards one of the present Agents: they are all incensed against me and are Combined to misrepresent me as an Enemy to their G<sup>ov</sup>m<sup>t</sup> for protesting in his Ma<sup>ties</sup> name against their New Law, & a disturber of their Inhabitants who have not transgref'd the lawes of their Country by which they are to be governd: but I hope I have done nothing but my duty, & expect to be justified in so doing. I know they will not be wanting to render me to y<sup>e</sup> Lord<sup>sh</sup> as ill as malice & interest can invent;  
&



& by my absence will take the greater liberty; but I know they have not just cause to make an accusation against me or my proceedings.

I went yesterday to seize a Ketch a league or two below their Castle & caught such cold that I am now in extremitie with the stone & strangury: should it please God to take me away by this or other accident It would be accounted the blessed return of their prayers: I hope y<sup>r</sup> Hon<sup>r</sup> will intercede w<sup>th</sup> his Ma<sup>tie</sup> that my wife & children may have recompence made them for all my losses & charges I have been at in contending & maintaining his Ma<sup>ties</sup> Right to that effect in this place, that his Ma<sup>tie</sup> may now putt a finall end to all disputes here with his Royall Authority, without any charge. I have broak the heart of this faction & if it please god to spare my life shall prepare them to receive his Ma<sup>ties</sup> Commands his Ma<sup>ties</sup> bringing a Quo Warr<sup>to</sup> against their Charter & by his printed declaration disable Danforth & his faction from bearing any Office civill or military & making them uncapable of voting in future Elections will putt this Gōm<sup>t</sup> into the hands of honest & prudent Gentelmen who will with all duty receive his Ma<sup>ties</sup> Lawes & Gōm<sup>t</sup> I am  
y<sup>r</sup> Hon<sup>r</sup> most obedient ser<sup>t</sup>

Nothing these Agents promise  
may be depended upon if  
they are suffered both to depart  
till his Ma<sup>tie</sup> have a full account  
that all is here regulated as promised.

ED. RANDOLPH.

[*Endorsed*]

Boston 29 May 82.

M<sup>r</sup> Randolph.

rec<sup>d</sup> 8 Aug. 82.

[*Addressed*]

[*Addressed*]      To the Right Hon<sup>ble</sup>  
                         S' Lionell Jenkin   Principall  
                         Secretary of State  
                         at Whitehall.

EDWARD RANDOLPH TO THE BISHOP OF LONDON.

*Collection of Papers*, by Thomas Hutchinson, Prince Society, Vol. II. p. 271.

My Lord,

In my attendance on your Lordship, I often exprest that some able ministers might be appoynted to performe the offices of the church with us. The maine obstacle was, how they should be mainetayned. I did formerly, and doe now propose, that a part of that money sent over hither and pretended to bee expended amongst the Indians, may be ordered to goe towards that charge. I am told by credible persons that there is nigh two thousand pounds of that money put out to interest in this country, I know two hundred hath bin for many yeeres in the hands of Mr. Rawson, their secretary, who is now pressed for to pay the money, to his utter ruin. Necessity, and not duty, hath obliged this government to send over two agents to England; they are like to the two consuls of Rome, Cesar and Bibulus. Major Dudley is a great opposer of the faction heere, against which I have now articulated to his Majesty, who, if he finds things resolutely mannaged, will cringe and bow to anything; he hath his fortune to make in the world, and if his Majesty, upon alteration of the government, make him captain of the castle of Boston and the forts in the colloney, his Majesty will gaine a popular man and obleidge the better party.

But if, whatever I have said and proved against, and even confessed by their former agents, their money raised upon the miserable inhabitants shall still prove a prevailing argument, and the agents be dismissed before every matter concluded in England be certified to be duly and punctually observed here, you will render them more capable to oppose his Majesties authority.

I have reason, from such great pressing reasons to pay in this 200*l.* to believe that this money is a bank laid up here upon managing some publick designe. There was a great difference betwixt the old church and the members of the new church, about baptism and their members joining in full communion with either church; this was soe high that there was imprisoning of parties and great disturbances, but, now, heering of my proposals for ministers to be sent over, for they have very good correspondancy with some of the clerks of the Councell, they are now joyned together, about a fortnight ago, and pray to God to confound the devices of all who disturbe their peace and liberties. I have made it an article against them, for not repealing their lawes ecclesiasticall, and sent in my papers to Mr. Blackworth [Blathwayt?] a large account of their latter transactions, to which I humbly beseech your Lordship to be referred and to be present at the Committys making a party against their great friend L. P. S. [Lord Privy Seal] who cannot withstand their weighty arguments. They have bin this 3 yeers raising money for this expedition, their last agents expended above 4000*l.* in their agency, the poore people must pay all, for by their law neither magistrates, ministers or any publick officers are charged with any publick rate. These agents have  
certainly

certainly one great advantage by my absence, having liberty to say what they please; but I thinke I have so cleerly layd downe the matter of fact, sent over their lawes and orders to confirme what I have wrote, that they cannot deny them; however, if commanded, I will readily pass the seas to attend at Whitehall, especially if Danford, Goggin, and Newell, magistrates and Cooke, Hutchinson and Fisher, members of their late generall court and great opposers of the honest governor and majestates, be sent for to appeare before his Majesty, till which time this country will always be a shame as well as inconveniency to the government at home. Your Lordship hath a great pledge for such ministers as your Lordship shall thinke convenient to send over, for their civell treatment, and I thinke no person fitter than Major Dudley, their agent, to accompany them, who will be very carefull to have them settled as ordered in England. He is one of the Commissioners for the money sent over for the converting the Indians; I give him two or three lines to recommend him to your Lordships favour, soe far as he may bee serviceable to the designe; as for Capt. Richards, he is one of the faction, a man of meane extraction, coming over a poore servant, as most of the faction were at their first planting heere, but by extraordinary feats and coussinadge have gott them great estates in land, especially Danford, so that if his Majesty doe fine them sufficiently, and well if they escape soe, they can goe to worke for more. As for Mr. Richards, he ought to be kept very safe till all things tending to the quiett and regulation of this government be perfectly settled. I give your Lordship my humble thanks for the great present of excellent bookes. I have disposed of  
them

them to advantage and, with my wife, are cryed upon as disturbers of the peace of the churches, for bringing in damnable bookes. We have in Boston one Mr. Willard, a minister, brother to Major Dudley, he is a moderate man and baptizeth those who are refused by the other churches, for which he is hated. My Lord, we heere the slaves in Algier are all to be redeemed, that I bouldly write itt that the settlement of this country and putting the government into the hands of honest gentlemen, some of which are already in the majestacy, and discountenancing utterly the faction, will be more gratefull to us, for now our consciences as well as our bodys are in captivity to servants and illiterate planters. My Lord, your goodness and readines to serve his Majesty in the settlement of this great plantation, invites me, upon all occasions, to interpose your Lordships more weighty affayres, but since wee are heere immediately under your Lordships care, I with more freedome press for able and sober ministers, and wee will contribute largely to their maintenance, but one thing will mainly helpe, when no marriages heereafter shall be allowed lawfull but such as are made by the ministers of the church of England. I humbly crave your Lordships blessing and remaine,

Your Lordships most obedient servant

ED. RANDOLPH.

1682 May 29th.

My Lord, I cannott forgett that the Lords of the committee for trade moved his Majesty to add to my fallery of 200*l.* a yeare, the yearely sume of one hundred more for my incouradgment. I have a great fammyly to mayntayne,  
have

have had great losses and expences about his Majesties service heere, all which, I hope, will be taken into consideration; for if his Majesty be now resolute, I question not, but without any further charge to his Majesty, the whole settlement of the country will be effected. E. R.

M<sup>r</sup>. RANDOLPHS QUERIES TO Y<sup>r</sup>. GEN<sup>l</sup>. COURT.

*State Papers, Colonial, Bundle 53 (39), 7 June 1682.*

To the hono<sup>d</sup>. Symon Bradstreet Esq<sup>r</sup>. Gover<sup>r</sup>. to the Magistrates and to the other Members of the Gener<sup>l</sup>. Court sitting now in Boston.

For his Ma<sup>ties</sup> speciall service, for avoiding certaine charge vpon the vncertaine issues in prosecuting the Transgresso<sup>r</sup>s of the plantation Acts for the future in this Colony. And to the intent all Ma<sup>st</sup><sup>r</sup>s of Ships and Vessells, and Merchants may bee directed how to governe themselves in point of trade.

It is proposed by Edw<sup>d</sup>. Randolph Collecto<sup>r</sup> etc. of his Ma<sup>ties</sup> customes in New England, that the following queries may bee taken into consideration by this gener<sup>l</sup>. Court & their answers & resolves made publick therupon.

In tryalls in the Court of Boston relating to the Acts of trade, the defend<sup>r</sup>s plead that those Acts are not the Laws of this Colony, because not sufficiently published as required in Law Book page 1<sup>o</sup>. Which plea in my tryalls in the year 1680 was allowed of, and juries brought in their Verdicts against his Ma<sup>ties</sup> vpon which costs and damages and money  
arbitrarily

arbitrarily imposed, and charges vpon prosecution amounted to above 100<sup>l</sup>.

1. Quer. Whether any Law made by the Gener<sup>l</sup> Court of this Colony bee sufficiently published, vntill it bee made known by y<sup>e</sup> ceremony of beating a Drum? publick reading. etc.
2. Quer. Whether any Law not so published bee of force & ought to bee owned as the Law of this Colonie?

At a tryall in the Court of Assistants held in Boston the 1<sup>o</sup> of june instant. the Governo<sup>r</sup> did declare in open Court, that my deputa<sup>cion</sup> and Instructions from the Comissio<sup>n</sup> of the customes were valid: And that my Lett<sup>r</sup> patents were my sufficient warr<sup>t</sup> to search and seize, etc. without any warr<sup>t</sup> from the Authority of this Govern<sup>t</sup> vnless required by mee or my Dep<sup>ties</sup>. A major part in the generall Court, presupposing that any person acting in this Colony, though imediate, by Lett<sup>r</sup> patents from his Ma<sup>ty</sup> is an actuall viola<sup>cion</sup> of their Charter, and therefore by their late Law have tacitely insinuated that his Ma<sup>ties</sup> authority is inferior to that of this Colonie by requiring his Ma<sup>ties</sup> Officers to apply to the govern<sup>t</sup> for their aid & warr<sup>t</sup> if they intend loyally to perform their dutie.

3. Quer. Whether the Governo<sup>r</sup> often and open declaration of the Validity of his Ma<sup>ties</sup> Lett<sup>r</sup> patents erecting an Office and an Officer of his customes in New England bee not sufficient ground for the 1<sup>st</sup> Officer to act and also for all persons concerned in trade to acquiesc & conform therunto; Especially sinc the Govero<sup>r</sup> of this Colony by the  
Acts

Acts made in the 12<sup>o</sup> and 15<sup>o</sup> years of his Ma<sup>ties</sup> Reigne (both published here in March last by beat of Drum) is solely & personally concern'd by Oath as Governo<sup>r</sup> to aid and assist in managing the plantation Acts; besides in y<sup>e</sup> Charter of this Colony there are perticuler Acts and duties enjoyned this Governo<sup>r</sup> which the Dep<sup>ty</sup> Govern<sup>r</sup> or Company as such were not capable of performing as taking an Oath before A mast<sup>r</sup> in Chancery, administring an Oath, etc : So that its no more in the power of a gener<sup>l</sup> Court to alter & vary from the exprefs words of an Act of parliament, then to alter any article or clause in their Charter.

At the said tryall in the Court of Assistants the Governo<sup>r</sup> and Assistants did openly declare that the Act for preventing ffraud made in the 14<sup>o</sup> of the King, the act for encouragement of trade made in the 15<sup>o</sup> of the King and the Act for better securing the plantation trade made in the 25<sup>o</sup> year of the King Were all intended and ought to bee vnderstood to bee included in the Law of this Colony made the 10<sup>th</sup> of Octo<sup>r</sup> 1677 And were all to bee observed in this Colony, though not published by beat of Drum.

4. Quer. An open declaration of the Govero<sup>r</sup> & Court of Assistants who (like the Judges in England) are the sole interpreters of the Laws of this Colony, that the said Acts of the 14<sup>o</sup> 15<sup>o</sup> and 25<sup>o</sup> of the King are included & ment by the said Law of Octo<sup>r</sup> 10<sup>th</sup> 1677 ought not to bee received as the genuine meaning and designe of that Law, though



though none of those Acts are perticularly mentioned therin, without further publication theroff.

5. Quer. Whether in judicall proceedings a declaracōn of the meaning of a Law made in open Court by the Governo<sup>r</sup> and Court of Assistants, who by Charter have the sole Executive power of the Laws of this Colony bee binding and a warrantable ground for his Ma<sup>ties</sup> Officers to proceed or depend vpon?
6. Quer. Whether the said acts of the 14<sup>o</sup> and 25<sup>o</sup> of the King both declared by the Governo<sup>r</sup> and Court of Assistants to bee included in the Law made 10<sup>th</sup> Octo<sup>r</sup> 1677 bee in force here, though not published by beat of Drum? etc.
7. Quer. Whether the said Act made in the 15<sup>o</sup> of the King published by beat of Drum, etc. bee in force not being perticularly mentioned or recited in the Law, title shipping made 1663 nor in the Law made Octo<sup>r</sup> 10. 1677.

Thus much I have thought my selfe obliged in dutie to his Ma<sup>tie</sup> to represent, that what is really intended by the Gener<sup>l</sup> Court to bee done in answere to his Ma<sup>ties</sup> service and expectation may appear barefaced, without any reserves or equivocation & what I have here laid down I purpose to transmitt to the Lords of his Ma<sup>ties</sup> Councill by the next convenient opertunity, to demonstrate how ready I am to attend my dutie Which would long sinc have been effected with great ease and quiet, had not some overweening persons against all colour of right or good inclinations to his  
Ma<sup>ties</sup>

Ma<sup>ties</sup> Service, block't vp my way, and rendred his Ma<sup>ties</sup> authority though fortified with y<sup>e</sup> best pow<sup>r</sup> and security so weak and inconsiderable that nothing will now availe with the people, but what is allowed of & approved by some Members in this Government.

Boston. June 7<sup>th</sup>

1682.

EDRANDOLPH Cott.

Read ye 8 of June  
in the Gen<sup>l</sup> Court.

[*Endorsed*] Queries propofed to ye  
Gen<sup>l</sup> Court.  
by E Randolph Cott.

ORDER FOR EDWARD RANDOLPH TO APPEAR TO BE ADMON-  
ISHED BY THE GOVERNOR FOR HIS REFLECTIONS ON THE  
GENERAL COURT ON APRIL 3RD.

*Massachusetts Archives*, Vol. CVI. p. 262.

This Court haveing taken notice of fundry cariages & expreffions of m<sup>r</sup> Randolphe w<sup>ch</sup> have a tendancy to cast much reproach & contempt upon his Ma<sup>ties</sup> Authority here established, and not being willing to proceed to make any legall procifs, or sentance of said Randolph according to his justdemerits as the Law directs, least they should be interpreted as Designeing to obstruct said Randolph in the execution of that trust where unto he is appoynted by his Ma<sup>tie</sup>. Do therefore agree that s<sup>d</sup> Randolph be sent for befor y<sup>e</sup> Gen<sup>l</sup> Court now sitting, & by the Gouno<sup>r</sup> cautioned that his cariages as above is writen are taken notice of by themselves.

ſelves. & that they have Daily informations of his Dirty & abuſive reflections upon this Court. & the laws of this Colony. & ſhall in caſe he do proceed, in ſuch abuſive wayes, neither his Ma<sup>ties</sup> laws, nor yet his authourity here ſetled will exempt him from a more ſevere animadverſion.

June 9-82, Paſſed by Magiſtrates y<sup>e</sup> brethren Deputies conſenting

EDW<sup>d</sup> RAWSON Sec<sup>ry</sup>

The Deputes Conſent no<sup>t</sup> hereto haveing declared y<sup>e</sup>ir mynds in yis matter by o<sup>r</sup> meſſengers ſent in before yis was publicly read.

WILLIAM TORREY Sec<sup>ry</sup>

MR. RANDOLPH TO THE EARL OF CLARENDON.

*Collection of Papers*, by Thomas Hutchinson, Prince Society, Vol. II. p. 275.

Boston June 14th, 1682.

Right honourable,

I wrote your Lordſhip largely by Mr. Foy, which I hope is come to your Lordſhips hands. Our agents are ſayled from hence about a fortnight ago. Wee heare, Maj. Dudley, one of them, is very ſick of a feavor and not like to hold out the voyage, Mr. Richards, the other, one of Danforths faction and a great oppoſer of the governor, will upon Maj. Dudleys death, have an opportunity to ſay what he pleaſeth, in defence of the ſeverall miſdemeanors objected againſt them and their faction.

They have been theſe 2 yeares rayſing money upon the poore inhabitants, to make friends at court, certainly they have

have some there, too nigh the councill chamber, otherwise they could not have coppies of my petition against their government, my articles of high misdemeanures against Danforth, and now of Mr. Cranfields instructions and negotiations in the province of New-Hampshire.

I heartily congratulate the happy returne of his Royall H. my gracious master to Whitehall, the news whereof and of his Majesties bringing quo warrantos against several charters in England, and of Mr. Cranfields being constituted governor of New-Hampshire, puts the faction in a great perplexity; their generall court hath sett above a month, and made only the inclosed law, and appointed a fast throughout the government. I am confident, if his Majestie had bene pleased, at the same time he made Mr. Cranfield governor, to bring a Q. W. against their charter and made him governor of this collonie, they would thankfully receive him, especially upon declaring liberty of conscience in matters of religion; but so long as their charter remaines undisturbed, all his Majestie faith or commands signifies nothing here. The governor is very much troubled that the faction will not hearken to reason; he endeavoured to have their navall office (sett up in opposition to my letters pattents) taken away this generall court, and have all the acts of parliament relating to trade declared and published, but the faction are resolved to doe nothing to oblige the governor or answer his Majesties expectations. His Majesties quo warranto against their charter and sending for Tho. Danforth, Sam. Nowell, a late factious preacher and now a magistrate, and Dan. Fisher and Elisha Cooke, deputies, to attend and answer the articles of high misdemeanures I have now exhibited against them,

them, in my papers sent Mr. Blaithwait per Capt. Foy, will make the whole faction tremble. I was very much threatened for my protest against their navall office, but it was at a time when they heard of troubles in England; but, since, I am very easy, and they would be glad to heare no more of it. His Majestie commanded them to repay me the money they tooke from me by their arbitrary orders, which the faction would not heare of, I have therefore arrested Mr. Danforth for 10*l.* part of that money, and their treasurer, Mr. Russell, for 5*l.* due to me for a fine, and I am to have a tryall with them. I humbly beseech your Lordship that I may have coe[n]sideration for all my losses and money laid out in prosecuting seizures here, in the year 1680. If I may not have it out of his Majesties treasury in England, that the heads of this faction here may be strictly prosecuted and fined for their treasons and misdemeanures, and my money paid out of their fines. My Lord, I am at a great disadvantage, by reason of my distance from court, and in no condition to sollicite his Majesties concerns and the good and welfare of this colony, as formerly, I well remember, business with your Lordship, as with other Lords of the Councill, sometimes intervenes, which hath occasioned not only delays, but quite alters the face of things, especially when a committee of Lords meete, who are not acquainted with the whole series of this affaire: It is therefore my humble request to your Lordship, to move that 2 or 3 committyes may be appointed for this matter, when your Lordship, my Lord Hide, and Mr. Chancellor of the Exchequer, may be present, and the whole matter of fact examined and stated. I know the agents, at least one of them, will confesse what is charged  
upon

upon their government, as their former agents did, in their petition to his Majestie, which is a standing evidence against them; but if that be not sufficient ground to avoid their charter, together with the misdemeanors charged upon them, on which your Lordship hath the opinion of Sir Wm. Jones, if his Majestie please to direct Gov. Cranfield to examine the last articles against the faction, there will be reason not only to vacate their charter but to send over a prudent gentleman to be generall governor. If the party were so considerable as to revolt, upon his Majesties resolution to settle this plantation (as hath been sometimes suggested) their first worke would be to call me to account, for endeavouring, openly, the alteration of their constitution, which by their law is death, but they dwindle away and are very much divided, magistrate against magistrate, the one hoping, the other fearing a change. My Lord, I have but one thing to reminde your Lordship, that nothing their agents can say or doe in England can be any ground for his Majestie to depend upon: Be pleased to remember, from the time your Lordships honorable father, the late Lord Chancellor, engaged with their agents, in 1662, who undertooke and assented to every thinge his Lordship proposed for his Majesties honour and the benefit of his subjects here inhabiting, nothing but open contempt, of all of his Majesties Commands, with small evasions and tricks, have followed, and worse may be daily expected, if it be left to them to regulate the abuses complained of. My Lord, one unhappy (if not willfull) mistake hath very much promoted these mischiefs, his Majestie hath been represented to this people very low in his treasury, unable and unwilling to give them any disturbance, though  
never

never so much provoked to it, which is here believed, when to this day their contempts putt upon his Majesties Commission and Commissioners in 1664, his Majestie not calling them to account for refusing to send over Bellingham and Hathorne when commanded upon their allegiance to attend at Whitehall by his Majesties letter of 1666, no not so much as the least notice taken of it in any of his Majesties letters at any time since to this government, and on the other hand, by a certain *deceptio visus*, these people have been represented to his Majestie as a very dutifull and loyall people, that they are a great people and can raise great forces, besides that they have been at vast charges and expences in subduing a wilderness and making a great country, without any charge or expence to the crown. Its true there are many loyall subjects here, but few of them in any places of trust. Their forces are very inconsiderable, more for shew than service. I will engage with 500 of his Majesties guards to drive them out of their country. And for their expences, I know very few now living, nor their children, who were at that charge. Mr. Dudley, one of the present agents, was one of the first planters and a gentleman, came over with a good estate, but the first adventurers are either all dead and their children drove out of all, by their fathers servants, or else so few and inconsiderable that no notice is taken of them; and as for all the persons joyned and concerned in the faction here, I know but one man who was not a servant or a servants son, who now governe their governor and the whole country. I beseech your Lordship to pardon my long New-England discourse, and believe me, in all this, to aime at his Majesties honour and the good of this plantation, where by  
his

his Majesties goodnes and your Lordships favour, I am now  
become an inhabitant, and remaine E. R.

My Lord, after your Lordship hath perused the enclosed, if any thinge occur therein which may be of service, whilst the affaires of this colony are tranfacting, be pleased to send it to Mr. Blaithwait, that the necessaries may be communicated, if required. In the inclosed law, they call the money coyned in this colony, New England coyne, engageing the whole plantation in the matter of their mint and thereby bespeaking the influence this small government would have over all the neighbouring colonys, but their ambition will shew itself upon all occasions; however, if they cannot conceale what they aime at, lying under such circumstances, they will take a time effectually to demonstrate what they have been for many yeares, designing, that is, the generall government over the whole plantation, which, indeed, is absolutely necessary on his Majesties behalfe, but not to be managed by them.

E. RANDOLPH.

RANDOLPH TO JENKINS.

*State Papers, Colonial, Bundle 53 (27).*

Boston. June 14. 1682.

Right Hon<sup>ble</sup>

In mine of ye 29<sup>th</sup> of may last I gaue y<sup>r</sup> Hon<sup>r</sup> an account of Agents coming from hence to attend his Ma<sup>tie</sup> in hopes to obtaine his Ma<sup>ties</sup> pardon to this Gom<sup>t</sup> of all their former misdemeanors & to procure a Confirmation of their Charter:  
to



to which end, that they may not fayle of their wonted Successe, they haue been these two last yeares raising money vpon ye poor Inhabitants to purchase what their promises & pretences cannot obtaine. Their last Agents at their return home brought to account aboue 4000<sup>l</sup>. part of which money was disposed of to some persons then in Great Stations at Court : by whose assistance together with the Attorney Gen<sup>l</sup> S<sup>r</sup> William Jones their Councill, they avoided the alteration then intended by his Ma<sup>tie</sup> to be made in their Gom<sup>l</sup>. But S<sup>r</sup> William Jones & S<sup>r</sup> Francis Winnington haue left their opinion vpon record with the Right Hon<sup>ble</sup> the Lords of the Committy for trade, that the misdemeanors objected against the Corporation of y<sup>e</sup> Massachusetts Bay in New Eng<sup>d</sup> in managing their Patent do contain Sufficient matter to avoid y<sup>e</sup> Patent but that cannot otherwise be done then by a Quo Warr<sup>o</sup> since which as if their former misdemeanors were not Sufficient : They haue opposed his Ma<sup>ties</sup> letters patents and me in the execution of my Office. of which I haue in my last papers complained of.

Endeavors are still vsed by the Phannatticks at home to keep vp the minds of this faction, by sending over heither all sorts of scandalous papers, as y<sup>e</sup> first second & third parts of No protestant Plot & severall papers in vindication of my lord Shaftsbury & Cap<sup>t</sup> Wilkinsons information relating to my L<sup>d</sup> Shaftsbury but the Newes of his Royall Highnes return to Court; the prosecuting dissenters at home and his Ma<sup>ties</sup> Sending ouer M<sup>r</sup> Cranfeild to be Gou<sup>r</sup> of N<sup>h</sup> Hampshire hath quite altered & lesned the party. It was the expectation of many of his Ma<sup>ties</sup> good subjects in this Colony that M<sup>r</sup> Cranfeild had been impowered like wise to take vpon him the  
Gom<sup>l</sup>:

Gom<sup>t</sup> of this Colony, ~~also~~ what euer the Agents may offer or suggest, I so well know the proceedings & practices of this faction now ouervoting the Gou<sup>r</sup> and opposing all his Ma<sup>ties</sup> Commands, that till his Ma<sup>tie</sup> be pleased to make a finall settlement of this Gom<sup>t</sup> by putting able and honest Gent into the Magistracy, nothing can be expected but tricks & his ma<sup>tie</sup> cannot relye vpon them with Security to his Hon<sup>r</sup> & Authority.

We haue a report & we hope tis true, that My lord of London is sending ouer to vs an able minister: at which many hundred good people are highly rejoiced: their Children being to this day vn baptized, notwithstanding his Ma<sup>ties</sup> Expreffe Commands on that behalfe, nor are any persons admitted to the Sacrament but such as are of their Congregationall Church.

Euer since his Ma<sup>ties</sup> happy restauration this Gom<sup>t</sup> haue been iustly complained of: warrs & other troubles arising at home haue prevented his Ma<sup>ties</sup> regulating these abuses: in the tyme of the Rebellion in Eng<sup>d</sup> S<sup>r</sup> Henry Vanes & Hugh Peters disciples & friends gott into y<sup>e</sup> Gom<sup>t</sup> & sauing y<sup>e</sup> Gou<sup>r</sup> & 8 or 10 honest Gent in y<sup>e</sup> Magistracy few or none but rigid Independents are in the Cheife places Ciuill or Military: their will is their law. They rate & tax at pleasure all that are not of their party, & make vse of his Ma<sup>ties</sup> name in their warr<sup>ts</sup> onely to abuse his good Subjects: & now who euer Complaines is punished for abusing this his Ma<sup>ties</sup> Gom<sup>t</sup> So that nothing will reduce this place to their due obedience to his Ma<sup>tie</sup> and ease the poor Inhabitants of the intollerable burthen they haue long tyme lain vnder but a Quo Warr<sup>to</sup> so often & so necessarily prefd for. I question not but large Complaints

plaints will be made at y<sup>e</sup> Councill the Treasury chamber & y<sup>e</sup> Custome house against me for being an Enemy & oppofer (as I was lately told in open Court by M<sup>r</sup> Danforth) of his Ma<sup>ty</sup>s Authority & disturber of his Good Subjects & Gom<sup>t</sup> I confesse I haue for almost 7 yeares attended his Ma<sup>ty</sup>s service here, haue faithfully represented the publick proceedings of this place & finding no performance here of what they largely engaged for at White hall, in my petition against the Gom<sup>t</sup> & Articles of high misdemeanors against some eminent offenders I haue laid down the true ~~state of~~ cause of this Great defection: and if in this I haue offended, I humbly beseech y<sup>r</sup> Hon<sup>r</sup> to intercede with his Ma<sup>ty</sup> on my behalfe, and to remember that I am placed in a troublesome station, being to manage with a faction whose Christian Policy is to Support themselues by false reports & Calumnyes.

I remaine

Right Hon<sup>ble</sup>

your most humble and  
most obedient Seru<sup>t</sup>

giue me your hon<sup>r</sup> leaue to ad  
that I stand vpon my good  
behaviour here. if his Ma<sup>ty</sup> for  
some reasons of State deferr taking  
notice to this Gom<sup>t</sup> of what I haue  
often represented And that the Agents  
return home with an Olive branch  
(as their ministers pray in their pulpetts)  
that branch may proue a fatall tree  
to me, at present Secure & very easy  
during their Agents Stay in Eng<sup>d</sup> for

EDRANDOLPH.

in

in respect to them they durst do no  
other : which I humbly recommend  
to y<sup>r</sup> Hon<sup>rs</sup> Consideration.

E: R:

[*Addressed*] To the Right Hon<sup>ble</sup> S<sup>r</sup> Lionell Jenkins  
Principall Secretary of State to his Ma<sup>ty</sup>

[*kindly*] *present* at White hall.

[*Endorsed*] Boston. 14 June 82. M<sup>r</sup> Randolph.  
recd frō M<sup>r</sup> Blathwait 8 Aug. 82.

AFFIDAVIT OF ELISHA HUTCHINSON.

*Massachusetts Archives*, Vol. CVI. p 263.

I being upon the change in Boston heard Lef<sup>t</sup> Dan. Turel  
speaking to M<sup>r</sup> Edw. Randolph — f<sup>st</sup> hee Cap<sup>t</sup> Hutchinson  
why doe you not speke to him? f<sup>st</sup> Randolph Replied, I  
had as leav speke to him as to any eliv, if it fall in my way.  
I looking about f<sup>st</sup> w<sup>h</sup><sup>is</sup> y<sup>e</sup> matter. M<sup>r</sup> Randolph answered  
you Rated me 13/4 w<sup>ch</sup> I p<sup>d</sup> to yo<sup>r</sup> Deputy. I asked w<sup>th</sup> Dep-  
uty. Lef<sup>t</sup> Turel f<sup>st</sup> yo<sup>r</sup> Constables Deputy, Tho: Smiths Dep-  
uty was answered. I Replied you did well. M<sup>r</sup> Randolph  
f<sup>st</sup>, I intende to Rec. it back againe for you ought not to  
Rate me. I answered we had as much Refon, or might as  
well demand it as you pay it. he said againe I intend to  
have it Returned. I Replied you wil be wiser when you  
have it (or must be wiser first). he f<sup>st</sup> though you are Longer  
you may find them y<sup>t</sup> are wiser. I f<sup>st</sup> like enuf. S<sup>d</sup> Ran-  
dolph f<sup>st</sup>, 7 men may cut a mans purse on y<sup>e</sup> high way. I  
replied such a knave as you may Cheat 20 men. He f<sup>st</sup>  
whoe are you. I f<sup>st</sup> a man. he said, when you have your  
buf

but cote on. I Replyed as good as you with your forde on. he f<sup>d</sup> you are no Com̄issioner here. I f<sup>d</sup> I haue as good a Com̄ission as you, my staf is as good a Com̄ission as your Sworde. he f<sup>d</sup> wold I had you in place where I wold try it. I Replyed, Try now, which he went away and left me, we haueing no more words all Change time, but he went off Change and I saw no more of him: this is the whole dif-  
course y<sup>e</sup> past betwixt us as neer as I can Remember & I think word for word, as witnes my hand, ffryday about one a clock June 23, 1682.

ELISHA HUTCHINSON.

ABSTRACT OF LETTERS FROM M<sup>r</sup> RANDOLPH AT N: ENGL<sup>d</sup>

*State Papers, Colonial, Bundle 53 (154), 20 Dec. 1681 to 24 June 1682.*

M<sup>r</sup> Randolph's Letter to the Comm<sup>rs</sup> of the Custom House.

Boston 16 May 1682.

Numb. 9.  
The Gov<sup>t</sup> allows  
the Patent. The Gov<sup>r</sup> did allow his Patent & the power granted to the Comm<sup>rs</sup> of the Customs by the 25<sup>th</sup> of the King, and denyed his Pass to ships outward bound, till they produced M<sup>r</sup> Randolph's Certificate that hee had visited them.

Entries w<sup>th</sup> him. That some Masters entered with him.

Mr Danforth's  
faction. But M<sup>r</sup> Danforth made a party against him in the generall Court giving out that by that Patent the Charter of New-England would bee overthrown & that the generall Court only haue right to choose the Officers of that Colony. That none could haue power to feize any ships or goods without Warrant from the Govern<sup>r</sup> or from a Magistrate.

The

but 7. The ffaction being the Dep<sup>y</sup> Gov<sup>r</sup> & 6 Magif-  
trates (out of 20) & the major part of the Court of Deputies  
Mast<sup>r</sup> to clear  
with M<sup>r</sup> Russell  
Navall Officer. carried it against the Gov<sup>r</sup> & the rest, and made a  
Law that all Vessells shall clear w<sup>th</sup> M<sup>r</sup> Russell as  
their Navall Officer lately established. March 25<sup>th</sup> they  
publish't this Law w<sup>th</sup> the Acts of the 12 & 15 of the  
King, & take no notice of y<sup>e</sup> 14 & 25 of y<sup>e</sup> King. this  
done they call a Councill & the Govern<sup>r</sup> denying to  
grant M<sup>r</sup> Russell a Commission & to swear him to be  
Navall Officer

Sworn by  
M<sup>r</sup> Danforth. M<sup>r</sup> Danforth assumes the power granted to the  
Gov<sup>r</sup> by the 15 of the King, and swears M<sup>r</sup> Russell  
and another Officer against the Governor & the Magistrates  
M<sup>r</sup> R. protest. Consent. April 4<sup>th</sup> He published a protest against  
these Proceedings. April 27. he prosecuted two persons for  
threatning him if he went aboard to visit. He  
Cap<sup>t</sup> Richards  
refuseth to take  
his affidavit. offered to make Affidavit thereof but Cap<sup>t</sup> Rich-  
ards refused to swear him. The Johanna of Piscataqua  
steales fruite & Spanish Wine ashore. He is directed to the  
Warehouses where they desire the Gov<sup>r</sup> Warrant but is de-  
nyed, the Govern<sup>r</sup> being of opinion that the Act  
for the preventing ffrauds is not intended to be  
executed in the Plantations, Nor hath that Col-  
ony owned that Law.

Denied to see  
clearings. The Swallow of Salem brings Scotch goods  
but denies to shew her clearings being told M<sup>r</sup> R.  
His Waiters  
driven from  
aboard. had nothing to do therewith Hee puts Waiters  
aboard the New England Merch<sup>t</sup> but they are  
driven out by force. The Increase of Boston en-  
ters Salt, but refuses to enter upon Oath.

The

The Sufanna of Boston having Scotch Merch<sup>ts</sup> aboard  
 Clearings deny'd. deny to shew him their Clearings.

The Hope seiz'd  
 for vn-livering  
 before entry.

The Hope of Boston vn-livers before entry w<sup>th</sup>  
 the Gov<sup>r</sup> Russell grants Warrant to search Cellers  
 &c: but hearing Randolph was ready to enter when the  
 Cellers were open suffers the Master to make entry of his  
 Ship & defists but M<sup>r</sup> Randolph has seized the Ship for vn-  
 livering before entry w<sup>th</sup> the Governor. Ships from Virginia

22 & 23 of ye  
 King not allowed.

Ships for New-  
 foundland go for  
 Scotland.

enter as they please, they not all ow[n]ing y<sup>e</sup> 22  
 & 23 of the King to be of force in Boston. All  
 Ships give Bond at this Office Tobacco laden for  
 Newfoundland but go for Scotland, the Gov<sup>r</sup> not  
 knowing of the Bond or what security is taken. Their Cuf-  
 Customs fallen. toms formerly 1000 <sup>s</sup> p an<sup>n</sup>, since his coming fal-  
 len 400 <sup>s</sup> p an<sup>n</sup>. Sugars are brought from the West Indies  
 but the Masters enter w<sup>th</sup> M<sup>r</sup> Russell and refuse to shew Cleer-

Imprisonmt of  
 the Dissenters &  
 ye Quo Warranto  
 allay the ffaction.

ings to M<sup>r</sup> Randolph. The News of imprisoning  
 Dissenters & a Quo Warranto against London  
 weaken y<sup>e</sup> ffaction here, who now suffer him to  
 make Seizures, and grant him a Court to try Seizures with  
 all Caution (as their new Law requires) and if the present  
 Gov<sup>r</sup> be continued this Election it is believed the Navall  
 Office and Law will be repealed. They send over two

Agents.  
 Councill of N.  
 Hampshire Ob-  
 servers of ye  
 Generall Court.

Agents &c. The Councill of New Hampshire  
 are strict Observers of the Generall Court, they  
 fined and imprisoned his Officers for Seizure, but  
 hearing of M<sup>r</sup> Cranfield's Coming grow more moderate.

They intend to  
 punish him, but  
 News from Engl:  
 terrifies them.

The ffaction intended to proceed against him  
 vpon their revived Law of Conspiracy for act<sup>g</sup>  
 w<sup>th</sup>out their Warrant & for publishing his protest,  
 but

but the good News from England lays aside their Intentions.

Writ of assistance. A writ of Assistance is necessary. The last

Agents promises signified nothing at their return, the ffaction telling them they had no power to assent to any of those matters, w<sup>ch</sup> were required of them in England.

M<sup>r</sup>. RANDOLPH'S LETTER TO THE COMM<sup>rs</sup> OF THE CUSTOMS.

Boston. 14 June. 82.

Num : 10.  
Three Tryalls for  
Scotch goods ac-  
quitted. The first of June he had 3 Tryalls at Boston. The first was for Scotch goods brought in the Sufanna by Cole a Scotch Merch<sup>t</sup> just before the

Tryall the evidence was conveyed out of the way. M<sup>r</sup>. Randolph moved that the Merch<sup>t</sup> being a Scotchman should shew his Clearings, or make appear that the Goods were Shipped from England the Onus probandi lying on his part, w<sup>ch</sup> he could not do neverthelefs the Goods were acquitted.

The Hope ac-  
quitted. 2<sup>d</sup>. The Hope of Boston seized for vnlivering, before Entry; at the Tryall no witneses were to proue the vnlivery after Entry or that the Wines were Shipped at the Maderas as entered, Yet he was cast, Insisting that he had no Warrant to seize the Ship. The Govern<sup>r</sup> & Magistrate allowed his Patent sufficient Warrant & sent out the Jury 3 times, but they would not alter the Verdict. He appealed but that would not be granted tho' not absolutely denied, till hee heard from the Agents his Ma<sup>ty</sup> Pleasure therein. He hath security from them to answer the King's part and shall haue review at the next Court.



3. The William of Bristoll seized for unlivering Sherry wine before entry, the Master pleaded he had entered w<sup>th</sup> the Country Officer but the Gov<sup>r</sup> difown'd that Officer to be sett vp by him, but being allowed by the Major part of the Court of Dep<sup>ties</sup>, the Ship was acquitted. Timothy Armitage being fined 40<sup>s</sup> by the Court at Boston for affronting M<sup>r</sup> R. going aboard his Ship, could never get a rehearing till by his Ma<sup>ty</sup>'s Letters they find that one half belonged to the King then the Court of Dep<sup>ties</sup> grant a rehearing, but the Gov<sup>r</sup> & Magistrate standing by their order & owning M<sup>r</sup> Randolph's Com<sup>on</sup> Armitage was cast.

The William of  
Bristoll acquitted.

Rehearing of Ar-  
mitage's Case  
cast.

Gov<sup>r</sup> &c. owning  
y<sup>e</sup> Kings Com-  
mission.

Queries.

With Consent of the Gov<sup>r</sup> he draws vp Queries w<sup>ch</sup> are read in the Generall Court, the Dep<sup>ties</sup> are much displeas'd thereat, and are suddenly dissolved. He hopes M<sup>r</sup> Cranfeild hath power to call Court of Adm<sup>ty</sup> & hear Causes of Seizures.

The Gov<sup>r</sup> desires to be resolved in these Queries, Viz :  
Gov<sup>r</sup>'s Queries. Whether in Seizures the Onus probandi do not ly in the Def<sup>t</sup> 2. Whether Ships from the Gov<sup>r</sup> in Nova Scotia sayled with ffrench & from the Gov<sup>r</sup> of Curasao sayled w<sup>th</sup> Dutch may trade there. 3. Whether the Oath of the Master be sufficient to proue the Ships to be built in the plantations, and if he hath answered the 15 of the King. 4. Whether Scotchmen settling in New England & taking the Oath are to be reputed aliens. 5. What assistance the Gov<sup>r</sup> must grant to Seizures in Cellers, & by what Law.

**Boston.**

*Documents and Letters.* 169

Boston. 20 Dec: 1681.

Num: 1. He is rec<sup>d</sup> coldly and has reason to suspect they haue a Copy of his [petition] & of his Articles ag<sup>t</sup> M<sup>r</sup> Danforth.

Boston. Dec: 21. 81.

Num: 2<sup>d</sup> That he arrived 17<sup>th</sup> & delivered his Ma<sup>y</sup> Let-  
Arrivall. ter the same day to the Gov<sup>r</sup>. The Magistrates  
Kings Letter. mett this day & read the Letter. The Generall  
Court meets the 15 of ffeb<sup>r</sup>. The factious party are ag<sup>t</sup> the  
Gov<sup>r</sup>. Governor & haue ordered his salary to be payd in  
Indian Corn at 3<sup>s</sup> 6<sup>d</sup> p Bushell w<sup>ch</sup> is aboue the Markett.

The Magistrates had endeavoured to lay aside the Court  
Court of Dep<sup>ties</sup> of Dep<sup>ties</sup> as an Innovation, but let the design fall  
Law. for want of Courage. No Law repealed as they  
pretended in their Letter to M<sup>r</sup> Sec<sup>ry</sup> Jenkins, The Laws  
were review'd & some corrected, and new Laws prepared,  
but the Dep<sup>ties</sup> would admitt of no altera<sup>cion</sup> in their old Law  
Books but will haue all their old Laws stand.

Acts of Trade. The Acts of Trade not yet declared the Law of  
the Colony.

They do not vnderstand the refunding any mony payd by  
their order nor how that order can be made voyd by his Ma<sup>y</sup>

L<sup>d</sup> Culpeper. The people expected My Lord Culpeper w<sup>th</sup>  
Commission to govern or at least to regulate their Governm<sup>t</sup>

Libells. All sorts of ill Books & papers transmitted from  
England.

Boston. Jan. 11. 1681<sup>1</sup>.

Num: 3. They haue by the Law of the Colony appropri-  
ated all ffines & fforfeitures to themfelues. That  
Fines & for- by his Articles ag<sup>t</sup> Danforth he hath given him  
feitures.

y<sup>e</sup> majority of voices to be Gov<sup>r</sup> next time. The present

Present Gov<sup>r</sup> Govern<sup>r</sup> is 80 year old.

Irish Vessell. A vessell from Ireland landed privately all her goods, but can make no discovery of them, the Master not

entering with him. He seized the Elizabeth & Sarah of London bound to Bilboa having To-

bacco, but the Master producing a Certificate of Bond given in London was discharg'd.

He desires a strict Summons for M<sup>r</sup> Danforth to appear in England as w<sup>t</sup> would be convenient for the King's Service.

Boston. Apr : 10. 82.

Num : 4. The Gen<sup>l</sup> Court fate the 15 of Febr: continu-

A Gen<sup>l</sup> Court. ing for 5 weeks. They erect a Navall Office in opposition to his Office. They revived an old Law making it death to endeavor the Subversion or alteration of Governm<sup>t</sup>; this was done in order to M<sup>r</sup> Randolph's punishment, they having a Copy of his petiōn & of his Articles ag<sup>t</sup> M<sup>r</sup> Danforth & the ffaction. Their late printed Laws inclosed.

Seizures. They admitt him not to make any Seizures till he giue Security to answer Damages & upon tryall will cast him. They allow him no power to seize w<sup>th</sup>out warrant from

Protest. the Govern<sup>r</sup>. He protests ag<sup>t</sup> their Proceedings and hopes his Ma<sup>y</sup> will justify him in it by some open Act or

Agents. declaration. Two Agents chofen, Viz. M<sup>r</sup> Dudley & M<sup>r</sup> Richards. They are to desire a Con-

Their business. firmation of their Charter, having repealed by a new Law as they belieue all Laws repugnant to the Laws of England. They are also to gett a grant of ffines & fforfeitures & Liberty to come.

They

**finer levy'd.** They continue to leavy ffines, w<sup>ch</sup> amount to  
**Customes.** about 400<sup>l</sup> p anñ Their Customes come to as  
much more. The excise two yeares since was farmed at  
**Rates vpon** 800<sup>l</sup> p anñ. The rates vpon Boston come to  
**Boston.** about 1600<sup>l</sup> p anñ, a third of the whole Cqlony.  
Due to the King 43 Quarters of Wheat p anñ for the Prov-  
ince of Maine. He gave into the generall Court a particu-  
lar of 58<sup>l</sup> w<sup>ch</sup> by his Ma<sup>ty</sup>s Letter ought to haue been repayd  
him, but they took no notice of it.

**fortifying the** They talk of fortifying the Islands vnder pre-  
**Islands.** tence of fear of a Warr w<sup>th</sup> ffrance.

**N : Hampshire.** Waldren & Vaughan of Pescatway Consult the  
Gen<sup>l</sup> Court how they shall receive the King's Letters Patents.

Boston. May 18. 82.

**Num : 5.** Ships come in from all parts and enter in the  
**Acts of Trade vio-** new Office erected by the Bostoners, he not being  
**lated.** pmitted to see their Clearings from the Port from  
whence they pretend to come, w<sup>ch</sup> Maj<sup>r</sup> Dudeley will confefs.

**Agents.** The Agents coming over not agreed vpon till  
they heard that the dissenters in England were imprifoned  
& that a Quo Warranto was out ag<sup>st</sup> the Charter of London.

**Dudley.** The two Agents are Dudley & Richards & Dud-  
ley is an oppofer of Danforth's faction, his fortune is to  
make; he affects popularity in Cafe of a regulation if sent  
home w<sup>th</sup> some Command a usefull man will be gained, &

**Richards.** Cap<sup>t</sup> Richards a Bigott ag<sup>st</sup> the Gov<sup>r</sup> voted him-  
self for the Agency, he is to justify the proceedings of the  
Governm<sup>t</sup>

**Grounds of** The Grounds of their defence are 1. Confirma-  
**defence.** çon of their Charter by his Ma<sup>ty</sup>s Letter of June

28<sup>th</sup>

28<sup>th</sup> 62. 2. Their power to choose Officers. 3. The Acts of Trade direct the Gov<sup>r</sup> to take the Oath (but his Ma<sup>'s</sup> letter is directed to the Govern<sup>r</sup> & Company) that therefore the Gen<sup>l</sup> Court is the Gov<sup>r</sup> intended.

Gov<sup>r</sup>'s proposall. The Gov<sup>r</sup> had proposd

1. That M<sup>r</sup> Randolph's Patent might be allowed, That none should vnlade without entering w<sup>th</sup> him after having been w<sup>th</sup> the Govern<sup>r</sup>. That none should lade or vnlade but at such places as should be appointed by the Gov<sup>r</sup> & Councill and that at the Custom house. But they passed the Laws without any thing of these proposalls inserted. The Navall Officer. Gov<sup>r</sup> alwayes opposed their Navall Officer & refused to grant him a Comm<sup>on</sup> or to swear him; this Cap<sup>t</sup> Richards will confes: M<sup>r</sup> Rawson sealed the Commission & M<sup>r</sup> Danforth administred the Oath.

Agents.

private instructions.

Privat Information from Court.

That they may answer him before they accuse him, & Laws of trade allowed.

No security for ships vnder appeal.

Hindrance of His Ma<sup>'s</sup> service.

Maj<sup>r</sup> Dudley will giue a fight of their private Instructions said to be fauicy, & to be managed by Richards.

Richards tells Randolph of his Narratiue, Articles & petition, Copies of w<sup>ch</sup> he supposes Humphries or some other mercenary body sends them w<sup>th</sup> all other private Intelligence. Desires that before they be admitted to criminate him they may answer his Pet<sup>n</sup> & Articles, & pay his disbursements & that the Acts of Trade be duely executed for want of allowing whereof he hath been cast in all his Tryalls. Ships are seiz'd & try'd, and tho' M<sup>r</sup> Randolph did appeal are suffered to go away & are sold abroad w<sup>th</sup>out taking security to answer the King's part. The number of Danforths Creatures in the Magif-

tracy

tracy & number of Electors w<sup>ch</sup> are 1800 whereof 500 not worth 100<sup>l</sup> each are the great hindrance of His Ma<sup>'s</sup> affaires there.

Grant of fines and forfeitures & power to levy money. The Agents are to proue a grant of fines & forfeitures & a power to leavy mony without accounting for it.

That the Auditor Patent looks back but to the first Warr w<sup>th</sup> Holland & has nothing to do w<sup>th</sup> the arrears of Maine. Since the people see no notice taken of the protest they are animated, and declare they will not pay Taxes, having been People mutinous. long mutinous. Russell & his Dep<sup>ties</sup> make advantage by the Navall office. Their Law should be repealed.

Boston. May 25. 1682.

Num: 6. The Town of Salem did grant to Hugh Peters 300 or 400 Acres of Land in their Township. Hugh Peter's Land. He left it in managem<sup>t</sup> w<sup>th</sup> Deacon Horn. Cap<sup>t</sup> Currin enters for debt and assignes to Devereux for 30<sup>l</sup> M<sup>r</sup> Randolph desires the King would giue him y<sup>e</sup> in ffee or a Lease for 99 years.

Dunstable. The Bostoners haue layd out a Town called Dunstable on the other side of Merimack River. He hath sent a note of what Towns belong to the King as neither in the Boston nor New Plymouth Grant Viz. Land belonging to Boston w<sup>ch</sup> Leverett and the ffaction cheated the Town of. Gen<sup>l</sup> Court no Judicature. The Court of Deputys haue no power of Judicature by Charter. Hee sends the Laws made Febr. 15 past, Navall Office, Weights, Conspiracy, made pursuance of the Law of Oct. 10. 75. His protest ag<sup>st</sup> it w<sup>th</sup> reasons for so doing. Major Dennison, M<sup>r</sup> Stoughton.

Opposers of ye  
Navall Office.

Stoughton, M<sup>r</sup> Pinchon, Major Dudley, M<sup>r</sup> Buckley, M<sup>r</sup> Brown sen<sup>r</sup> M<sup>r</sup> Saltenstall jun<sup>r</sup> & Cap<sup>t</sup> Hull Magistrates and of good estates opposed this Law.

Election of Gov<sup>r</sup>

yesterday at the Election great endeavors used to make Danforth Govern<sup>r</sup> but he lost it by much. Humphreys

Secret Correspondence.

the Solicitor or some other about the Councill Chamber hold secret Correspondence there. They know M<sup>r</sup> Cranfeild's business. A Fast for the Agents. He

Ships seiz'd without  
Warrant.

has two Ships under seizure and a quantity of Scotch goods for w<sup>ch</sup> expects a tryall next week.

Boston 14 June 82.

Num : 7.

Tryalls.

They pay him  
not.

Had 3 Tryalls for seizures & cast. Two gen<sup>l</sup>. Courts haue pass'd w<sup>th</sup>out taking any notice of the mony due to him according to his Ma<sup>ty</sup>s Letter. Has attached Dunforth & Russell, the 1<sup>st</sup> for 10<sup>s</sup> y<sup>e</sup> other for 5<sup>s</sup> and hath demanded of the Town 13<sup>s</sup> & 4<sup>d</sup> w<sup>ch</sup> they rated him & he pd in the year 1680. He heares it will be repay'd him and he shall not be rated again. A Comm<sup>tee</sup> of the generall Court is appointed

Protest inspected. to consider his protest and what he had said against the Navall Office. Hee did write to the Gov<sup>r</sup> w<sup>th</sup> objections ag<sup>st</sup> Danforths hearing his appeal in the province of Main, but y<sup>e</sup> Court breaking up suddenly his Letter was not read.

Continues Appel-  
lant till he haue  
an indifferent  
Judge.

Hee will go to the Province of Main to desire continuance of his Appeal till he haue an indifferent Judge. Aboue 150 Pipes of Spanish wines haue been lately entred for Madera & ffall Wines & more expected. The Masters bring forged Certificates to the Navall Office & refuse to shew him any.

Masters refuse to  
shew Clearings.

M<sup>r</sup>

King's money in  
Davis hand. M<sup>r</sup>: Benj: Daveis has 300<sup>l</sup> of the King's money  
it being sent from Carolina by Rob<sup>t</sup>: Holder who  
rec<sup>d</sup> it there as his Ma<sup>y</sup>'s Collector. Davis pretends he cant  
part w<sup>th</sup> it but to a sufficient Attorney, and therefore denyes  
to pay it to Biggs the present Officer of Carolina who has  
demanded it. M<sup>r</sup>: Randolph desires a power from y<sup>e</sup> Treāry  
Goff & Whaley's  
Stock. to receive it. M<sup>r</sup>: Goggins a Magistrate did man-  
age a great stock for Goff & Whaley. He will  
H. Peter's Lands. enquire after it. Part of H. Peter's Lands are  
still in y<sup>e</sup> possession of Deacon Horn. He sends the Petition  
Thaire's Pet<sup>y</sup>. of Richard Thaire who desires a stop of proceed-  
ings till the Agents make it appear that the Land in ques-  
tion is within 3 miles of Charles River, their Southward  
South Bounds. Bounds settled by Char<sup>ter</sup> Brantry is 10 miles  
distant. He Hears a Minister is coming to them from  
Charles River. Has wrote to my L<sup>d</sup> Clarendon & others to  
procure an order for the Court to rehear the Cause of the  
Pink Expectation. Pink Expectation. She was carryed away & fold  
hanging the appeal.

Boston 24 June 1682.

He recommends Smith's bus<sup>ness</sup> who desires that if the  
Num: 8. Case of Hog Island betw: him and the Governor  
Hog Island. of Road Island be not ordered, that it may be re-  
Mr Brinly. ferred to M<sup>r</sup>: Cranfeild. That M<sup>r</sup>: Brinly being  
commanded to administer the Oath to the Gov<sup>r</sup> of Rhoad  
Island, at the last Election, when he offered the Oath for  
observing the Acts of Trade to the new Gov<sup>r</sup>: The Gov<sup>r</sup>:  
took y<sup>e</sup> Commission from him & dismiss'd him & afterward  
they made an order that the Gov<sup>r</sup>: should keep the s<sup>d</sup>  
Commission.

A



A LIST OF PAPERS REC<sup>d</sup> W<sup>th</sup> M<sup>r</sup>. RANDOLPH'S LETTERS.

- Numb: 11. His protest against the proceedings of y<sup>e</sup> Gen<sup>l</sup> Court.  
 12. Reasons of his protest.  
 13. The new printed Laws.  
 14. Articles against the ffaction.  
 15. An Acc<sup>t</sup> of Lands, ffines & ff forfeitures due to the King.  
 16. Queries propofed to the Gen<sup>l</sup>. Court.  
 17. Proceedings of the Councill of N. Hampshire ag<sup>st</sup> M<sup>r</sup> Randolph's Deputies.  
 18. Letter from M<sup>r</sup> Randolph to the Gov<sup>r</sup> of Boston about his Appeal from New York to y<sup>e</sup> Province of Maine.  
 19. M<sup>r</sup> Randolph's Depofition ag<sup>st</sup> Noell.  
 20. M<sup>r</sup> Randolph's Depofition about the fhip Hope.  
 21. Petition of Thaire for Lands in Brantry.  
 22. Lawrence's Bond to the Treår.  
 23. Order against Lawrence.  
 24. The Gov<sup>r</sup> of Boston's Letter Oct. 20. 1681.  
 25. Letter from M<sup>r</sup> Randolph Dec. 21. 1681.  
 26. M<sup>r</sup> Chamberlain's Letter 23 Jan. 8 $\frac{1}{2}$ .  
 Num: 27. Letter from M<sup>r</sup> Brendley to M<sup>r</sup> Randolph.  
 28. Letter from M<sup>r</sup> Bradstreet p New Eng<sup>t</sup> Agents Boston 29<sup>th</sup> of May.  
 29. Letter from M<sup>r</sup> Randolph p Maj<sup>r</sup> Dudley. Boston 30 May.  
 30. Letter from M<sup>r</sup> Buckley p New England Agents. Boston May 30. 82.

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31. Letter from M<sup>r</sup> Stoughton p New Engl: Agents.  
Boston May 30. 82.  
32. Letter from M<sup>r</sup> Randolph. Boston 24 June 82.

[*Endorsed*] Abstract of Letters etc.  
received from M<sup>r</sup> Randolph.

LETTER FROM RANDOLPH READ.

*State Papers, Colonial, Entry Book, 107, p. 34.*

At the Committee of Trade & Plantacōns  
In the Council-Chamber at White Hall  
Wednesday the 28<sup>th</sup> of June 1682.

Present: Lord President, Duke of Ormond, Marq: of  
Worcest<sup>r</sup>, Earl of Halifax, Earl of Conway, Lord B<sup>p</sup> of  
London.

. . . . .  
. . . A letter from M<sup>r</sup> Randolph dated at Boston the  
New England. 10<sup>th</sup> of April read, wherein hee sets forth that hee  
L<sup>tr</sup> from  
M<sup>r</sup> Randolph. is in danger of being punished as a subverter of  
that Government by reason of a petition presented by him  
against them, copie whereof they are possessed of and of sev-  
eral Articles, which hee had exhibited against M<sup>r</sup> Danforth,  
and that, in order thereunto, they have revived the Law  
which makes it death to endeavor the subversion of the  
Government. That hee had published a Protest against the  
Laws lately made about seizing of Ships. That they con-  
tinue to levy ffines which amount to above 400<sup>li</sup> p ann.  
That the Customs amount to as much more. And that the  
Excise was set two years agoe at 800<sup>li</sup>. That they raise  
yearly about 1600<sup>li</sup> in rates vpon Boston which bears the  
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third part of y<sup>e</sup> whole Colonie. That there is due to the King 43 quarters of Wheat for the Province of Main at one quarter p añ. That at Portsmouth they have imprifoned his Deputy and proceeded to fine him for feizing of a Ship without authority from the Council there.

MR. EDWARD RANDOLPH TO THE LORD BISHOP OF LONDON.

*Collection of Papers*, by Thomas Hutchinſon. Prince Society, Vol. II. p. 279.

Boston July 14th 1682

My Lord,

I gave your Lordſhip the trouble of mine of 29th of May laſt, which I hope is long ſince received. Wee have advice by Capt. Barrett, now arrived from London, that your Lordſhip hath remembered us, and ſent over a miniſter with Mr. Cranfield, the very report hath given great ſatisfaction to many hundreds whoſe children are not baptiſed, and to as many who never, ſince they came out of England, received the ſacrament. I wrote your lordſhip of our two agents coming over to attend and receive his Majeſties commands, they have large commiſſions to promiſe as much as any of their former agents, and have credit for large ſumes of money to purchaſe (if they can) what their promiſes cannot obtaine, but I hope nothing will be concluded upon, and they thereupon permitted to returne home, till his Majeſtie have full aſſurance from Governor Cranfield that all things are here duly performed which are expected and commanded to be done in this collonie. But nothing will ſo effectually ſettle this government on a firme dependence upon the crowne as bringing a quo warranto againſt their charter,  
which

which will wholly disfinable many, now, great sticklers and promoters of the faction among us from acting further in a publick station, especially those against whom I have exhibited the inclosed articles sent in my last to Mr. Blathwait.

My Lord, I am at a great distance and so not able personally to attend and sollicite in this affaire as formerly, but in regard the matter is more easily to be effected, I thinke it unnecessary, yet in regard its absolutely necessary for his Majesties service and advantage to the crown to haue the whole plantation settled upon the true basis of duty and allegiance, I had rather take a voyage to England, if Comanded, to make out my allegations, than to have this matter passed over and hurst up upon bare pretences and promises. I confesse my particular businesse is to take care of the trade of this country, I dayly expose myselfe to many hazards and troubles, but all I have done or can project is to little purpose, so long as this government (now sufficiently divided) which the lawes of England enjoyne to my aide and assistance, are parties and chiefe obstructers of my designs, for till this government be thoroughly regulated, all that his Majestie commands will signify nothing. This independency in government claimed and daily practised by us is one chiefe occasion of the many mutinies and disturbances in other his Majesties forreigne plantations. If wee are misinformed concerning your lordship's sending over a minister, be pleased to commiserate our condition and send us over a sober discreet gentleman. Your lordship hath now good security, so long as their agents are in England, for his civill treatment by the contrary partie; he will be received by all honest men with hearty christian respects and kindness, and  
if

if his Majesties lawes (as none but fanaticks question) be of force with us, wee could raife a sufficient maintenance for divers ministers out of the estates of those whose treasons have forfeited them to his Majestie. I have wrote to the Earl of Clarendon, to Mr. secretary Jenkins, to remind them of the many small evasions and tricks putt upon his Majestie and the Lords of the councill by this inconsiderable faction, whose so long delayed punishment and reformation, invites and encourageth to greater contempts. I question not but your lordships unspotted loyalty to his Majestie, and charitie to us his dutifull subjects, will now engage your lordship timely and vigorously to assist, so to reduce this faction, as to put it absolutely out of their power to attempt the like for the future. Our ministers hope God will support them in all their extravagancies, and now we haue a solemne fast ordered to intreat the Lord to give our agents favour in the eyes of the King, and with all they are to be concerned. Serjeant Maynard, his Majesties sergeant at law, hath made a present of eight chests of books, now sent over to the colledge at Cambridge, by Capt. Barrett, and consigned them to Capt. Richards, one of the agents sent to England. They are valued at above 400*l*. I finde his marrying Mr. Bantries neece will oblige him to stand up for the good old cause, and to assist the agents, who amongst other matters, are to represent me as an enemy to this government, and an open disturber of their peace. I heartily beg your lordships blessing, and remayne,

E. R.

EXTRACT

EXTRACT OF M<sup>r</sup> EDWARD RANDOLPH'S LETTER.

*Massachusetts Archives*, Vol. LXI. p. 250.

Boston 31 July 1682.

That 29<sup>th</sup> June he went to Piscattaqua upon advice of two Jerfey men arrived there and demanding to see their entries M<sup>r</sup> Martin the Navall officer would not permitt him And the president denied seizures of the Ships which he supposed to be a french bottom

That Robert Gampain M<sup>r</sup> of the Pinke Samuel of Jerfey about sixth of July last being arrived at Salem with wine Brandy an Linnen the said Randolph with 12 men to his Assistance went in search after the 1<sup>st</sup> Pinke and the said Randolph and 4 of his company were hereupon arrested and could not bee permitted to give security, but his assistants kept in prison on purpose to prevent their seizures of a parcell of goods which were run out of a vessell there arrived from Cales.

That on y<sup>e</sup> 25 July last a court of tryall was held in Boston where in order to a tryall the said Randolph had preferred two informations against a floope and a ketch which were deferred whilst y<sup>e</sup> actions against himselfe and Deputies were suffered to proceed: that 14<sup>lb</sup> damages was given against him and 30<sup>lb</sup> against his Deputies, And that no time could be procured to try his seizures, that through these discouragm<sup>ts</sup> he can gett no men to assist him.

That the magistrates upon the Bench particularly M<sup>r</sup> Nowell do openly appear against his Commission and against his seizures not allowing his Commission to be read which  
he

he produced to justifie his Deputies who besides had the Govern<sup>r</sup> expresse warrant.

That the people in generall do all they can to countenance the irregular Trade.

#### COMPLAINTS MADE BY RANDOLPH.

*State Papers, Colonial, Bundle 53 (30).*

By a Letter from M<sup>r</sup> Randolph dated at Boston the 7<sup>th</sup> of August 1682 Complaint is made

That the Government of the Massachusetts Colony have sett up a Navall Office without the consent of the Governor & to the p<sup>r</sup>judice of the Kings Commission

That they possess the people that their Charter impow<sup>r</sup>s them to choose their own Officers relating to the Kings Customs.

And that His Ma<sup>ty</sup> Letters Patents appointing M<sup>r</sup> Randolph Officer of the Customs is of no force in that Colony.

By the same Letter further Complaint is made

That y<sup>e</sup> 25<sup>th</sup> July 1682 Isaac English Master of the Ketch Newbery brought an Action ag<sup>t</sup> Daniell Mathews, Dep<sup>y</sup> Searcher of His Ma<sup>ty</sup> Customs, Cap<sup>t</sup> Reevely & others for assisting y<sup>e</sup> 1<sup>st</sup> Mathews to seize the said Ketch for the King.

The said Mathews vpon Tryall of y<sup>e</sup> Cause produced a Deputation from M<sup>r</sup> Randolph who also desired his Patent might be read in Court but it was not granted.

That altho' M<sup>r</sup> Randolph made it appear by good evidence that that Ketch brought Wine directly from the Canaries to that Colony in June last yet The Jury notwithstanding

standing the said Evidence & matter offered on y<sup>e</sup> part of the Def<sup>t</sup> gave damages against the said Mathews &c. M<sup>r</sup> Randolphs Dep<sup>ties</sup> for 307<sup>li</sup> for w<sup>ch</sup> they are taken in execution.

Hee further complains

That he is again taxed towards y<sup>e</sup> publick charge, altho' he hath shewed the Governor & some of the Magistrates the opinion of M<sup>r</sup> Attorney Gen<sup>l</sup>, that by their Charter they have no power so to do.

That he is also informed that he is p<sup>r</sup>esented by the Grand Jury, for endeavoring to subvert the Government by writing & speaking ag<sup>t</sup> the late proceedings of the Generall Court there for having endeavored to assert His Ma<sup>ty</sup> Right & to make good the Acts of Parliament in relation to the Customs.

By a Letter from M<sup>r</sup> Randolph dated at Boston y<sup>e</sup> 12 of Nov<sup>r</sup> 1682 complaint is also made

That he is there served w<sup>th</sup> an Execution for 100<sup>li</sup> ag<sup>t</sup> his body and goods, either to deliver y<sup>e</sup> Sloop Swallow (seized by him for the King in June last) to Andrew Willett, the Owner, or to pay the said 100<sup>li</sup> & this notwithstanding he has appealed to His Ma<sup>ty</sup> in that Case as he has right to do by His Ma<sup>ty</sup> Order.

That they also refuse to pay M<sup>r</sup> Randolph the mony they extorted from him for calling Courts to try His Ma<sup>ty</sup> Causes in y<sup>e</sup> year 1680 Altho' they are expressly required to repay the same by His Ma<sup>ty</sup> Letter of the 21 of October 1681.

[*Endorsed*] Complaints made by  
M<sup>r</sup> Randolph ag<sup>t</sup> the  
Colony of y<sup>e</sup> Massachusetts.  
7 June 82. [August]

LETTER



## LETTER FROM RANDOLPH TO —

*State Papers, Colonial, Bundle 53 (29).*

Boston Aug: 7. 1682.

Right Hon<sup>ble</sup>

When I came to this place in December last armed with his Ma<sup>ties</sup> Royall lett's of 21 of Oct: 1681 to this Gom<sup>t</sup> requiring all assistance & encouragem<sup>t</sup> to be given to me & my Deputyes, & also with his Ma<sup>ties</sup> lett<sup>s</sup> Patents erecting an Office of Collector. etc: of his Customs & thereby appointing me to execute y<sup>e</sup> same, I had therevpon a great Confidence in y<sup>e</sup> former, & it was beleived that none would dare oppose the latter, especially now & at such a tyme when they haue Agents attending to beseech his Ma<sup>ties</sup> favour & pardon for their past misdemeanors. But y<sup>e</sup> ffaction so oft' complain'd of in my papers haue taken all oppertunityes from y<sup>e</sup> first of my arriuall to disturb & prevent me in the execution of my Duty. First they sett vp a Navall Office with out directions or Consent of their Gou<sup>r</sup> then amuse & possesse the people that their Charter impowres them to chuse their own Officers & that his Ma<sup>ties</sup> lett<sup>s</sup> patents appointing me the Officer are not of force in this Colony, & haue accordingly taken all occasions to shew their resentm<sup>t</sup> but more Especially at their last County Court held in Boston July 25: 82: where One Isaac Enelish was permitted & Countenanced also to bring his action ag<sup>t</sup> Danniell Mathewes Deputy Searcher of his Ma<sup>ties</sup> Customs in this Colony, Cap<sup>t</sup> Reeueley & others for assisting Mathewes to seize the Ketch Nubery (whereof Enelish was Master) for y<sup>e</sup> King, & in the Declaration call the seizure piracy. Mathewes produced in Court  
my

my Deputation. I desired his Ma<sup>ty</sup> Lett<sup>rs</sup> patents impowring me & my Deputyes to seize. etc: to be read in Court, but that not granted then nor hath at any tyme (tho' pref'd) suffred to be made publick to y<sup>e</sup> people. Cap<sup>t</sup> Reeueley produced in Court y<sup>e</sup> Gou<sup>r</sup> warr<sup>t</sup> directed to him & others to assist Etc. I made appeare by good witnes that that Ketch brought wine directly from y<sup>e</sup> Canaries to this Colony in June last, but to no purpose: the Jury giue 307<sup>li</sup> od money damages ag<sup>t</sup> Mathewes etc. for which su<sup>m</sup> they are taken vpon Execution & imprisoned (where I maintain them vpon my own Charge) in hopes to Compell me to release the Ketch; but I haue appealed in that case to y<sup>e</sup> next Court of Assistants. they threaten to sell them out of y<sup>e</sup> Country. Other persons who assisted at that Seizure are warn'd out of towne by y<sup>e</sup> Townes men of Boston & some of y<sup>e</sup> Inhabitants haue been forbid to entertaine or employ any of Randolphins Rogues: I am againe tax'd towards defraying the publick Charges & dayly expect my goods to be taken out of my house to be sold for payment: Tho' I haue shewed the Gou<sup>r</sup> & some of y<sup>e</sup> Magistrates m<sup>r</sup> Attorney Gen<sup>l</sup> opinion to y<sup>e</sup> Right Hon<sup>ble</sup> the Lords of y<sup>e</sup> Committy of trade, that by their Charter they haue no power so to doe. and to ad further trouble to me I heare I am presented by their Grand Jury for endeavouring to subvert their Gom<sup>t</sup> by writing & speaking against the late proceedings of their Gen<sup>l</sup> Court: Diuers persons who gaue me information & readily assisted me in making seizures are so discouraged by their unjust proceedings against my Deputyes & others, that I can gett no man to my aide abroad or to appeare as Euidence for his Ma<sup>ty</sup> in Court or before a magistrate. I haue giuen y<sup>e</sup> Comm<sup>r</sup> of his Ma<sup>ty</sup> Customs a large

account hereof with Seuerall depositions & papers attested to which I humbly intreat y<sup>r</sup> Hon<sup>r</sup> to be refer'd & to remember the repeated Contempts of his Ma<sup>ties</sup> Royall lett<sup>rs</sup> by this faction euer since his happy Restauration: as by their plaine Story & seuerall misdemeanors objected against them & confess'd by their late Agents doth appeare. So that now his Ma<sup>ties</sup> letters are no more regarded here then Gazetts: & nothing but a Quo Warr<sup>to</sup> against their Charter will rectifie & thereby bring honest & able Gent<sup>l</sup> into y<sup>e</sup> Gom<sup>t</sup> now kept out of all places of Creditt & trust: as not long sinc in the Rump Gom<sup>t</sup> in Eng<sup>d</sup>.

I haue heitherto with great Difficulty & hazard managed in my station, & now impatiently expect to see the effects of his Ma<sup>ties</sup> Justice vpon y<sup>e</sup> open Contemnners of his lawes & Commands. as also the welcome Release of many hundred loyall Inhabitants kept in bondage in this place of pretended Liberty — in their Consciencies and Estates: of which for any of them to complain is death by their late Law. I question not but their Agents vpon hearing of these matters will extenuate the Complaint, promise reparation & all sincere obedience for the future (as did the former Agents) but Its not in y<sup>e</sup> Power of the Gou<sup>r</sup> & those few honest Gent<sup>l</sup> in y<sup>e</sup> Gom<sup>t</sup> to giue his Ma<sup>ties</sup> satisfaction, being ouer voted & run down by M<sup>r</sup> Danforth & his party: so that they would gladly be putt in a better Condition yet for their Oathes sake as they are Magistrates, & being vnder the great Obligation of Church-membership they durst not openly appeare in it. No person here can be a Magistrate but he must be a Church member & chosen by y<sup>e</sup> freemen none can be admitted to be a freeman without y<sup>e</sup> approbation of some of their Ministers  
(as

(as by their law fireemen made 1662) who are most of them Independents & are inspired & encouraged by the Non Conformists in Eng<sup>d</sup> all which the Agents cannot deny, & with all that the firemen of this Colony are not the 8<sup>th</sup> part of the Inhabitants and that those firemen who haue good estates would reioice to se a happy settlement of all the Colonies vnder one Gen<sup>l</sup> Gou<sup>r</sup> the onely way to secure & protect them in their Just rights & propertyes.

I humbly take leaue to add that so long as the Gom<sup>r</sup> of this Colony is in the hands of such who dispute the Acts of trade & his Ma<sup>ties</sup> Authority commanding their obseruance here, No better Successe may be expected from me or any other person recommended by y<sup>e</sup> Comm<sup>n</sup> of his Ma<sup>ties</sup> Customs, whose power is in no sort allowed of here, Nor y<sup>e</sup> Act for preventing frauds made in y<sup>e</sup> 14<sup>th</sup> of y<sup>e</sup> King, Nor y<sup>e</sup> Act for y<sup>e</sup> better Securing y<sup>e</sup> Plantation trade made in y<sup>e</sup> 25<sup>th</sup> of y<sup>e</sup> King, by which the seuerall duties imposed by that Act are to be ordred & managed by y<sup>e</sup> Comm<sup>n</sup> of his Ma<sup>ties</sup> Customs: Neither to this day haue his Ma<sup>ties</sup> lett<sup>n</sup> Patents erecting an Office here, been euer duly owned or made publick to the people, but the Navall Office Continued & thereby irregular trade encouraged tho' the Gou<sup>r</sup> hath not consented to it but hopes to haue it taken away the next Gen<sup>l</sup> Court, but they putt off all till they heare what Successe their Agents haue at Court. This (as my duty to his Ma<sup>ties</sup> Seruice obligeth) I haue with all faithfulness represented: humbly praying y<sup>e</sup> Continuance of y<sup>r</sup> Hon<sup>r</sup> favour

I remain Right Hon<sup>ble</sup>

your most obedient Seru<sup>t</sup>

ED RANDOLPH.

[Endorsed]

[*Endorsed*]

Boston. 82,  
 7 Aug<sup>r</sup> R.  
 M<sup>r</sup> Randolph.  
 Reprizalls  
 Captives  
 [K.]urland.  
 ffiregate.

## ADDRESS FROM NEW ENGLAND, &amp;c.

*State Papers, Colonial, Entry Book, 107, p. 47.*

At the Committee of Trade & Plantations  
 in the Council-Chamber at White Hall  
 Thursday the 24<sup>th</sup> of August 1682.

Present: Lord Prefident, Earl of Clarendon, Lord Visco:  
 Hyde, M<sup>r</sup> Sec<sup>y</sup> Jenkins.

Address from  
 New England  
 concern<sup>t</sup> their  
 Laws.

. . . . . An Address to His Ma<sup>y</sup> from y<sup>e</sup>  
 . . . . . Colony of the Massachusets-Bay read, setting forth  
 that the irregularity of establisshing some Laws  
 among them had been through inadvertency and want of  
 consideration, and not out of any contradiction to the due  
 limits assigned them; for which they humbly crave His  
 Ma<sup>ties</sup> Pardon they having, vpon His Ma<sup>ties</sup> signification to  
 them by their late Messengers, laboured to correct and  
 amend them and should for y<sup>e</sup> future hold themselves strictly  
 obliged to the Rules prescribed as in their Charter.

That they have, in obedience to His Ma<sup>ties</sup> commands, dis-  
 patched Joseph Dudley & John Richards their  
 Messengers. Messengers to give an acco<sup>t</sup> what they have done  
 for the Regulation of the Laws pursuant to the objections of  
 y<sup>e</sup>

y<sup>e</sup> Attorney and M<sup>r</sup> Solicitor General committed to their former Messengers, as alsoe to give His Ma<sup>y</sup> an account and satisfaction in y<sup>e</sup> severall Particulars contained in His Majesty's Letters and to attend His Ma<sup>y</sup>'s Pleasure therein.

That their Agents have alsoe to offer the Address of some  
M<sup>r</sup> Mason's  
Claim. of the Inhabitants dwelling within M<sup>r</sup> Mason's  
Claim to whom they signified His Ma<sup>ties</sup> Pleasure  
as by the said L<sup>tes</sup> they were commanded. That the said  
Claims being vnlimited and vncertain they humbly pray His  
Ma<sup>ties</sup> favor for the said Inhabitants, they having had an vn-  
interrupted possession these fifty years and that they may not  
bee put to answer further than in the Courts of Justice vpon  
Purchase of  
Maine. the place. They doe further offer that the pur-  
chase of the Province of Maine was not out of any  
intention to infringe His Ma<sup>ties</sup> Prerogative or to prevent  
His Ma<sup>tie</sup> from taking the same into His hands, but to accom-  
modate the Inhabitants of that Province, and with good  
advice first had that they might doe. Wherefore they  
pray His Majesty's consideration of their charges and allow-  
ance of their procedure therein.

After which M<sup>r</sup> Dudley and M<sup>r</sup> Richards are called in,  
Agents for New  
England. who, having assured the Committee of the readi-  
ness of that Colonie to expresse their submission to  
His Ma<sup>y</sup>, they are ordered to bring in writing, on Thursday  
next, an account of the severall particulars wherein they  
have obeyed His Ma<sup>ties</sup> Commands heretofore signified  
to them.

AGENTS

## AGENTS HAVE NO POWER TO REGULATE CHARTER.

*State Papers, Colonial, Entry Book, 107, p. 50.*

At the Committee of Trade & Plantations  
in the Council-Chamber at Whitehall  
Thursday the 31<sup>th</sup> of August 1682.

Present: Lord President, Earl of Clarendon, Earl of Craven, M<sup>r</sup> Sec<sup>y</sup> Jenkins.

Their Lo<sup>ps</sup> order a Paper to bee read being an Abstract of  
New England. the severall Particulars wherein His Ma<sup>ty</sup> has signi-  
Abstract. fied His Pleasure to the Colony of the Massachusetts-  
 Bay; as alsoe of such others wherein complaint has been  
 made against them. After which Joseph Dudley and John  
 Richards Messengers or Agents from that Colony being  
 called in deliver a paper containing an account of y<sup>e</sup> pro-  
Proceedings of y<sup>e</sup> Massachusetts. ceedings of y<sup>e</sup> Massachusetts in obedience to His  
 Majestie's Letters dated the 24<sup>th</sup> of July 1679;  
King's Letters. the 30<sup>th</sup> of September 1680, and the 21<sup>th</sup> of Octo-  
 ber 1681, which being read they are ordered to produce the  
 proofs of what they allege.

They are alsoe asked whether, in pursuance of His Ma<sup>ty</sup>'s  
 Commands signified to them in the abovementioned letters,  
 they have brought over with them any Comission or Powers  
 from their Principals to agree vpon such a regulation of  
 their Charter as should bee thought fitt and for the rectify-  
Commission or Powers. ing the abuses which should appear to have been  
 committed by them. In answer whereunto they  
 declare that they have not brought over any formal Commis-  
 sion or Powers from their Principals, but that they doe not  
 doubt but whatever His Ma<sup>ty</sup> shall think fitt to command  
 them

them will bee dutifully obeyed. And that they have alsoe  
Instructions of the New Agents. some Instructions which are not drawn vp in a  
 form fit to bee presented to the Council which  
 nevertheles they promise to shew M<sup>r</sup> Sec<sup>y</sup> Jenkins.

ANSWERS FROM THE MASSACHUSETTS TO THE HEADS OF  
 SEVERAL OF HIS MAJESTY'S LETTERS.

*State Papers, Colonial, Bundle 53 (33), 29 Aug. 1682.*

24 July. 79.

His Ma <sup>ty</sup> L <sup>re</sup> to the Gov <sup>r</sup> . and Company of the Massachusets Colony in New England	To which the Agents for the said Colony of the Massachusets Hübly
--	---

Requires

Answer

That Agents be sent over in  
 Sixe monthes fully instructed to  
 Answer and Tranfact what vnde-  
 termined at that time.

That the delay of Sending Such  
 Agents hath been occasioned  
 (1) By the danger of the seas  
 Connecticut Agent and severall  
 others haueing been taken by  
 the Turcks and Ranfomed at  
 Extreame Rates.

That the arreare of debt by  
 reason of the late Warr with the  
 Indians had soe farr Empover-  
 ished them as to make them al-  
 most incapable of the Expence of  
 such Attendance.

That ffreedome and Liberty of  
 Conscience be given to Such Per-  
 sons

There is noe Law nor vsage  
 there to Barr the vfe of the Eng-  
 lish



sons as desire to serve God in the way of the Church of England Soe as not to be thereby made obnoxious or discountenanced from their Shareing in the Government;

Much less that they or any other his Ma<sup>ty</sup>s Subjects (not being Papists) who do not agree in the Congregationall way be by Law Subjected to fines or forfeitures, or other incapacities for the Same

That noe other distinction be Observed in makeing of freemen then that they be men of Competent Estates rateable at 10<sup>s</sup> according to the Rules of the Place and that Such in their Turnes be Capable of the Magistracy and all Laws made void that obstruct the Same.

That the Auntient Number of Eighteen Assistants be henceforth observed as per Charter.

That

lish Liturgy, nor haue any persons been Obstructed who desired the same nor is there any Law to hinder any Persons of the Church of England from being chosen into the Government but the vote and Suffrage of the People is free and without any restraint for Such as well as any others

What ever has been formerly There is now noe Law put in Execution ag<sup>t</sup> Dissenters but what is Consonant to the Law of England and of like force against those of the Congregationall way as any others.

There is noe other distinction vsed in makeing of freemen Then that they be freeholders of Tenn Shillings ratable Estate, and of the Protestant Religion.

And all freemen are Capable of being Chosen to any trust in the Magistracy there and all Laws obstructing the Same Repealed on his Ma<sup>ty</sup>s particular Comands for the Same.

This was Immediately done on his Ma<sup>ty</sup>s Pleasure Signified.

This

That all Persons coming to  
any Priviledge Trust or Office  
take the Oath of Alleagiance.

This is Chearefully Obey'd and  
allways Shall be foe.

That all Military Comissions  
as well as the Proceedings of Jus-  
tice runne in His Ma<sup>ty</sup> Name

This was alsoe Soe Obeyed.

That all Lawes Repugnant to  
and inconstitant with the Lawes of  
England for Trade be abolisshed.

This is alsoe fully Obey'd.

And the said *Lre* Complaines

That while M<sup>r</sup> Gorges Com-  
plaint was before the Councell  
The Agents of the said Colony  
without his Ma<sup>ty</sup> permission, who  
was Sometime in Treaty for the  
Same Bought M<sup>r</sup> Gorges Interest  
in the Province of Mayne for  
1200<sup>li</sup>

To this they Humbly Offer  
That the Purchase of the Prov-  
ince of Mayne was made by them  
not out of any disloyall Inclina-  
cion or intencon to Infringe His  
Ma<sup>ty</sup> Royall Prerogatiue or to  
prevent his Ma<sup>ty</sup> takeing the  
Same into his owne hands But  
vpon reall desire to accomodate  
his Ma<sup>ty</sup> Subjects the Inhabit-  
ants of that Province and their  
owne mutuall Peace and Safety  
and with good Advice first had  
that they might doe Soe.

Wherein the Respondents Case  
Stands thus

In 1640 the now Inhabitants or  
those vnder whome they clayme  
Sate downe vpon the Lands in  
the

the Province of Mayne being then all a Wildernesse buying out the Indians & Governing themselves by Comon Agreement.

When their families encreased devifions Growing amongst them.

They grew vneasy to themselves and prayed the Massachussetts to Extend their Governm<sup>t</sup> over them.

And all of them Submitted the regulaçon and Adjustment of their Lands to the Massachussetts.

In 1657 A Law was made for quieting Possions That where noe Claime had been made 5 Yeare before and Should not be made in 5 Yeare after, the Possessor should quietly enjoy the Land Soe held by them ag<sup>t</sup> all Claym<sup>rs</sup>

The Massachussetts in the last Indian Warr were at 10000<sup>li</sup> charge in defending the said Province when most of it layd waft

M<sup>r</sup> Gorges Peticon'd his Ma<sup>y</sup> that he might haue the said Province vpon Some Dormant Ìres Pattents he had thereof Wherevpon

The then Agents for the Massachussetts Colony bought M<sup>r</sup> Gorges pretended Title to the said Province for 1250<sup>li</sup> to noe other End, then to quiet the Inhabitants in

That his Ma<sup>y</sup> even then heard of Some Effects of a Severe hand layd by the Massachussetts on his Ma<sup>ty</sup>s Subjects there.

And his Ma<sup>y</sup> requires an Assignment of the Said Province of Mayne on repayment of the Said 1200<sup>li</sup>

And

the

the Possessions they had Improved with the Expenſe of Soe much Sweat, and Coyne, and preſerved with their blood, without taking one farthing from them for it

Soe that the Maſſachuſetts by their Purchaſe could deſigne noe more then a Generous Charity, Since to haue bought a litigated Title with intent to haue profecuted a Recovery therein had been Champerty and Punishable by the Laws of England.

Of which purchaſe what Affignm<sup>t</sup> can they make which can benefitt any Affignee But what were vnlawfull to be taken and muſt be deſtructive of the pious and Charitable end now effected.

That it not being Intimated what thoſe effects of a Severe hand hinted to haue been acted by the Maſſachuſetts ag<sup>t</sup> His Ma<sup>ty</sup> Subjects there, were; They cannot make any Answer thereto.

**And Requires**

That as for that parte of New Hampshire Province three mile Northward of Merrimack River granted to M<sup>r</sup> Maſon the Government whereof remained veſted in his Maj<sup>ty</sup> His Maj<sup>ty</sup> deſigneing to

That was readily obey'd and a New Governor admitted without any Heſitation.

Answer.

to Settle the same to the Satisfaction of his Subjects there That the Massachusetts recall all Commissions Granted by them for Governing there.

13 Sep: (80.

His Ma<sup>y</sup> by  $\widetilde{\text{Lre}}$  then Complaines

Answer.

That few of his directions in the former  $\widetilde{\text{Lre}}$  had been pursued by the Generall Courte in New England and that the Consideration of the remaineing parte of them were putt off on insufficient pretences.

And the Sending Agents within Sixe Moneths after the said former Letter with full instructions to attend his Ma<sup>s</sup> pleasure in relation to the said Government had been wholly neglected.

That M<sup>r</sup> Mason claymeing a Tract of Land between Merrimack and Naumkerk Rivers by Grant of the 19<sup>th</sup> of King James whose Right had been Settled Had not the Entreaty of the late Agents from New England Suspended the Determination thereof untill new Agents came empowered to defend the Inhabitants Right thereto

That their delay, or Slowness of procedure proceeded not from any want of Allegiance Or doubt of giueing his Ma<sup>y</sup> all Satisfaction therein nor was it any disadvantage to any his Ma<sup>s</sup> Subjects there for whose avayle the said Complaints were made,

But that they might proceed with Satisfaction amongst themselves.

Which is Since brought to pass.

His

This

His Ma<sup>y</sup> Comanded

That Agents Should in 3  
Monthes after the Receipt of  
that  $\tilde{\text{Lr}}$  be sent over and Au-  
thorised to Attend the regu-  
laçon and fettlement of that  
Governm<sup>t</sup>

And that Maçons Complaint  
might be then determined Those  
Agents should come prepared not  
onely to shew Such Evidence of  
Right as the said Company had  
to the said Soyle claymed by  
Maçon

But Should make a publique  
Significaçon of his Ma<sup>s</sup> pleas-  
ure to the Inhabitants and Terr-  
ten<sup>s</sup> of the Said Soyle That they  
might furnish those Agents or  
whom they should depute with  
the proofes of their Titles to the  
Lands possesst by them that they  
might make their full defence  
before his Ma<sup>y</sup> in Councell.

That on Receipt of the said  
 $\tilde{\text{Lr}}$  a Gen<sup>l</sup> Court Should be forth-  
with Called and the Letter read  
therein and provision made for  
His Ma<sup>s</sup> Speedy Satisfaction in  
the p<sup>r</sup>misses.

This wee beleieve his Ma<sup>y</sup> hath  
Given Order Shall be first Tried  
vpon the Place

And a Publique Significaçon to  
the Terrten<sup>s</sup> was forthwith made  
by his Ma<sup>ties</sup> Government there.

Done.

21 Oct<sup>r</sup> (81.His Ma<sup>y</sup> by <sup>~</sup>Lre Complaines

Answer.

That M<sup>r</sup> Randolph being appointed Searcher Coll<sup>r</sup> and Surveyor of his Ma<sup>t</sup>s Customes in the Massachusetts Colony to prevent the Breaches of the Acts of Trade & Navigation

That M<sup>r</sup> Randolph on sight of his Ma<sup>t</sup>s <sup>~</sup>Lres Patents was received and acknowledged as Coll<sup>r</sup> Searcher and Survey<sup>r</sup> of his Ma<sup>t</sup>s Customes, and his <sup>~</sup>Lres Patt<sup>s</sup> accordingly Enroll'd

That all his Care had noe effect in regard Attachments were granted against him and his Officers for doing their duties.

That noe other Complaint or Suit ag<sup>t</sup> his Ma<sup>t</sup>s Officers hath been at any time Countenanced or damage given therevpon but Such as in their best Judgment has been pursuant to the providing damages for the Officers vnjust vexing the Subjects.

And when Offenders prosecuted in His Ma<sup>t</sup>s Name the Officers obliged (ag<sup>t</sup> Law) to deposite money before Tryall could be obtained and afterwards forced to pay Costs and Suffer other Hardships.

That for Ordinary Tryalls in his Ma<sup>t</sup>s Stated Courts nothing hath been demanded or taken of M<sup>r</sup> Randolph but in Extraordinary Cases where Juryes were fumoned at his Instance and Travaild farr on purpose Soe much hath been taken as to defray the charge of their necessary Attendance which will be prevented for the future and all Cases reserved to the Ordinary Termes if the Officer be directed thereto.

That

That

That Appeales in Matters of Revenue to His Ma<sup>y</sup> were refused to be Admitted.

That if without either restriction of the Sume or difficulty of the Case all Matters Indifferently may by the Officer or his deputy be removed from his Ma<sup>s</sup> Courts there and the Subject forced to Transport himselfe into this Kingdome of England it will force them to quitt their goods vpon any pretence rather then Suffer Such Inconvenience and thereby wholly discourage all Trade in that his Ma<sup>s</sup> Plantacon of which wee humbly pray His Ma<sup>s</sup> gracious Consideracon.

That the Massachusetts had Seized into their hands the Moyety of forfeitures belonging to His Ma<sup>y</sup> by Law.

Wee know of noe Instance of that Nature except One particular Case wherein a Master of a Shipp was fined for an abuse of his Ma<sup>s</sup> Government there Established wherein the Judgement was mistakenly Entred by the Officer of which Neverthelefs the Moiety or thereabouts was given to M<sup>r</sup>. Randolph.

**And Required**

That fitt persons be sent to Answer all Matters before Complaind of without further delay.

Done.

That all Encouragement be given M<sup>r</sup>. Randolph in Execucon of his Office.

It is by Law Established and in all Courts practised.

That

Nothing



That Restitu<sup>ti</sup>on be made of  
all money leavyed from his Ma<sup>ty</sup>  
Officers.

Nothing has been Taken of his  
Ma<sup>ty</sup> Officers but in Extraordi-  
nary Tryalls where Jurors and  
others haue Travayled farr for  
the defrayeing of the Expences  
neccessary which cannot be had  
again<sup>e</sup> of the Severall Parties and  
wee hope his Ma<sup>ty</sup> will not Charge  
the Government for the same.

That an acco<sup>u</sup>t be given His  
Ma<sup>ty</sup> of the Moyety of all for-  
feitures by them received

There hath been yet noe for-  
feiture of Ship or Goods but  
when it shall happen will be  
Carefully preserved

That the Act for Encour-  
agm<sup>t</sup> of Shipping and Naviga-  
ti<sup>o</sup>n 12<sup>o</sup> Car 2<sup>d</sup>

These haue been fully put in  
Execution to the best discre<sup>ti</sup>on of  
the Governm<sup>t</sup> there, and if the  
Method vsed Answer not the end  
designed The Government there  
will be ready to amend the same  
vpon any directi<sup>o</sup>n from hence.

And the Act for securing the  
Planta<sup>ti</sup>on Trade 25<sup>th</sup> Car 2<sup>d</sup> and  
all Trade Acts be put in due  
Execution

That His Maj<sup>ty</sup> Officers may  
p<sup>ro</sup>secute Such as Should violate  
the Said Acts without Charge as  
in England

This is Allowed in all his  
Ma<sup>ty</sup> Stated Courts.

That Appeales be Admitted in  
Matters of Revenue to his Ma<sup>ty</sup>

This It is Humbly hoped will  
be Considered off.

All which is humbly Submitted.

xxix<sup>th</sup> Aug<sup>t</sup> 1682.

LORDS

LORDS NOT SATISFIED: — AGENTS MUST PROCURE FULL  
COMMISSION ; &c.

*State Papers, Colonial, Entry Book, 107, p. 56.*

At the Committee of Trade & Plantations  
in the Council-Chamber at White Hall  
Tuesday the 12<sup>th</sup> of Sept<sup>r</sup> 1682.

Present: Lord President, Duke of Ormond, Earl of Clarendon, Earl of Craven, Earl of Conway, B<sup>p</sup> of London, M<sup>r</sup> Seymour, M<sup>r</sup> Sec<sup>y</sup> Jenkins, M<sup>r</sup> Godolphin.

. . . . .  
. . . . . A report being made to their Lordships that the  
New Engl<sup>d</sup> Agents. Agents of New England had been at the Plantation-Office and brought such proofs as they could produce to make out the several particulars of their compliance with His Ma<sup>ties</sup> Orders, and their Lo<sup>ds</sup> being not satisfied therewith, particularly taking notice of the Answer which they now give of the Deeds of Conveyance and writings of the Province of Maine from S<sup>r</sup> Ferdinand Gorges were not in their hands although they were expressly commanded to bring them over. And M<sup>r</sup> Sec<sup>y</sup> Jenkins having also acquainted the Committee that hee had received from the Agents an Abstract of their Instructions, the same is now read, wherein they are directed 1<sup>st</sup> To present the Address of that Colonie. 2<sup>d</sup> That they beg pardon for Coyning. 3<sup>d</sup> They assure His Ma<sup>ty</sup> that *the same* liberty is given to the Church of England there as to all others. 4<sup>th</sup> That the Laws against Dissenters are suspended save such as affect all others. 5. That all Protestants having Estates are admitted to the Government

Heads of ye Instructions to ye Agents.

erment and Laws to y<sup>e</sup> contrary repealed. 6<sup>y</sup> That the Acts of Trade shall bee observed and His Ma<sup>y</sup>'s Officers encouraged. 7<sup>y</sup> That they disclaim all pretences to forfeited goods. 8<sup>y</sup> To represent that Appeals in all cases of His Ma<sup>tie</sup>'s Revenue would bee burthensome. 9<sup>y</sup> That fees are not taken from His Ma<sup>tie</sup>'s Officers but in case of a special Court. 10<sup>y</sup> Nor damages given but in action brought. 11<sup>y</sup> That all Tryals vpon the Acts of Trade have been by Jurys. 12<sup>y</sup> To pray that they may not pay double duty for Plantation-goods. 13<sup>y</sup> To shew that the rates on strangers are but a peny p pound. 14<sup>y</sup> To pray that M<sup>r</sup> Mason's Claim may bee tryed vpon the place. 15<sup>y</sup> To give a relation concerning the Province of Maine. 16<sup>y</sup> That whereas His Ma<sup>tie</sup> intimated, by His letters to their late Agents, that hee had noe intention to infringe their Charter, that therefore they did not vnderstand, by the regulation of the Government, that any alteration of their Patent is intended, that they shall not therefore consent to any thing that may Violate or infringe the liberties and Privileges granted by their Charter or the Government; But that to such propositions they should say they had noe Instructions therein, craving time to give an account thereof. 17<sup>y</sup> That they give His Ma<sup>y</sup> satisfaction in the premisses that where there hath been any Variance from their Charter they implore His Ma<sup>y</sup>'s consideration of their circumstances, praying pardon and promising hereafter that their Patent shall bee their rule.

After w<sup>ch</sup> the Agents being called in and asked whether they had any other Powers or Commission to consent to the Regulation of their Government, w<sup>ch</sup> they disowning are told that

that for want of such Powers the Committee can't think fitt  
to enter vpon the consideration of those matters,  
Report touching  
ye New England  
Agents, & their  
Powers. and therefore have resolved to Report to the  
King That they doe not find their Powers suffi-  
cient to enable them to agree to what His Ma<sup>y</sup> should think  
neccessary for the settlement of that Colony, That His Ma<sup>y</sup>  
would therefore bee pleased to order them to procure a Com-  
mission and Powers to that end ; and that, in default thereof,  
His Ma<sup>tie</sup> will cause a Quo Warranto to bee brought against  
the Governor and Company of that Colonie for their abuses  
of their Charter.

ORDER OF COUNCIL THAT THE AGENTS HAVE SUFFICIENT  
POWER.

*Massachusetts Archives*, Vol. CVI. p. 268.

Att a Court at Whitehall, September 20<sup>th</sup> 1682

Present: the Kings most Excellent Majesty, His highnes  
Prince Rupert, Lord Chancellor, Lord President, Duke of  
Albemarle, Duke of Ormond, Marquise of Hallifax, Duke of  
Sunderland, M<sup>r</sup>. Godolphin, Earle of Clarendon, Earle  
of Bathe, Earle of Craven, Earle of Conway, Viscount Hide,  
M<sup>r</sup>. Secretary Jenkins, M<sup>r</sup>. Seymo<sup>r</sup>.

The Lords Co<sup>m</sup>mittees of this Board for trade & fforeigne  
Planta<sup>co</sup>ns haveing this day reported to his ma<sup>tie</sup> in Councill  
that the Agents or Messengers lately arrived from the Massa-  
chusetts Bay in New England, not having brought sufficient  
powers for the regula<sup>co</sup>n of his ma<sup>ties</sup> governm<sup>t</sup> there accord-  
ing to his ma<sup>ties</sup> former co<sup>m</sup>mands: their Lordships proposed  
that his ma<sup>tie</sup> would be pleased to order them forthwith to  
procure

procure the same. Upon consideration whereof his ma<sup>tie</sup> in Councill was pleased to order & it is hereby ordered accordingly that the said Agents or Messengers doe forthwith procure from his ma<sup>ties</sup> Govern<sup>t</sup> & Company of the Massachusetts Bay sufficient Commission & full powers to agree upon the Regulation of that Govern<sup>t</sup> & to consent to such matters, as shall be thought necessary in pursuance of his Ma<sup>ties</sup> letters to that Colony; And that in the meantime the said Agents Continue their Attendance here. And in case of neglect or failure in the particulars aboue mentioned his Ma<sup>tie</sup> was pleased to declare his pleasure that he would cause a Quo Warranto to be brought ag<sup>t</sup> the sd Gouvernour & Company for the abuse of their charter, on the first day of Hillary terme next.

PHIL. LOYD.

PETITION AND APPEAL OF EDWARD RANDOLPH TO THE KING  
ON HIS SEIZURE OF SEVERALL VESSELS. SEPTEMBER. 1682.

*Massachusetts Archives*, Vol. CVI. p. 259.

To the King's most Excellent Maj<sup>tie</sup>.

The humble petition and appeale of Edward Randolph  
Collector of your Maj<sup>ties</sup> Customes in New England.

Sheweth

That your Petitioner in pursuance of the Acts of Trade and navigacon did in this Colony seize and prosecute in your Maj<sup>ties</sup> name diverse ships and Vessells with their loadings for breach of the Acts of Trade, and brought the same to tryall in the court houlden upon the first day of this instant Sept. att Boston where your Petitioner contrary to evidence

dence and the laws of England being cast and damages given against your Maj<sup>tie</sup>, Your Petitioner did in open court in your Maj<sup>ties</sup> name appeale to your Maj<sup>ty</sup> in Councill in all the said seizures. But your Petitioners appeale would not bee allowed of, nor entered as was then by your Petitioner desired.

Your Petitioner therefore humbly prayes that his appeale may be entred in the Booke for Councill causes and that Summons may be issued forth to cause the severall defend<sup>ts</sup> whose names are underwritten to appeare att your Councill Chamber and answere your Ma<sup>tie</sup> upon the said Appeale

And your Petition<sup>r</sup> shall ever pray.

The names of those persons whose vessells are seized Nathan<sup>n</sup> Clark and Daniel Dauison of Newberry Owners of the Ketch Nubery seized for bringing 40 Pipes of wines directly from the Canary's and unlivering the same in this Colony before Entry contrary to the 15 of the King.

Andrew Willett Owner of the sloop Swallow of Boston haueing on board 16 pipes of wine taken out of said Ketch Nubery which sloop and wine was seized for his Maj<sup>tie</sup> on the 22 June last in Boston.

Mr. Samuel Noell Magistrate of Boston and M<sup>r</sup> Andrew Belcher of Cambridge Owners of the Pink Good Hope of Boston seized att Boston for his Maj<sup>tie</sup> on the 6 : September, for belonging to aliens haueing a Scotchman to bee her Master, and for takeing in her loading of tobacco before bond given as required in y<sup>e</sup> 12. of y<sup>e</sup> Kings.

RANDOLPH

RANDOLPH TO BRADSTREET ABOUT DAN<sup>t</sup>. MATHEWS.*State Papers, Colonial, Bundle 53 (47).*

Copy

Letter to Dan<sup>n</sup>. Mathews [*sic*]ab<sup>t</sup>. Dan<sup>n</sup>. Mathews Enlargem<sup>t</sup>.Hon<sup>d</sup>. S<sup>r</sup>:

Boston Sept 21. 1682.

I thank you for Speaking to y<sup>e</sup> Goaler on my Deputy Danniell Mathewes behalfe I cannot with any Safety to my health waite on y<sup>r</sup> Hon<sup>r</sup> am therefore forced to continue the trouble of my paper addressees, & to acquaint you, that last night M<sup>r</sup> Earle the Keeper was proffred my security for my Deputyes true imprisonm<sup>t</sup> till further order; his answere was, that by the law of this Country two persons must engage for that. I haue no other personall Security then what I haue offred & am still ready to giue.

In the Act for preventing frauds made in y<sup>e</sup> 14<sup>th</sup> of the King, page 159 (w<sup>ch</sup> please to peruse) It is enacted, that all Officers etc: & their Deputyes & seruants or any others acting in aide of them vpon any Suite inditement or prosecution etc may plead y<sup>e</sup> Gen<sup>n</sup>. issue, and all Judges of his Ma<sup>ties</sup> Courts of Justice or other Courts etc. are thereby strictly enjoined & required to admitt the same: which act with the Act for better securing y<sup>e</sup> plantation trade made in y<sup>e</sup> 25<sup>th</sup> of y<sup>e</sup> King, tho' willingly omitted last Gen<sup>n</sup>. Court (when y<sup>e</sup> 12<sup>th</sup> & 15<sup>th</sup> were onely taken notice of) yet were received & owned by y<sup>e</sup> Agents at White hall to be the lawes of this Colony & so made by y<sup>e</sup> law made Oct: 10: 1677. which for Justification was then produced at y<sup>e</sup> Councill board. I presse not for his enlargement vpon my own Security to be granted by  
your

your single Act as Gou<sup>r</sup> of this Colony (tho' in these cases by y<sup>e</sup> Acts of trade y<sup>r</sup> Hon<sup>r</sup> is eminently a free Agent & accountable to his Ma<sup>ty</sup> onely in the Execution or neglect thereof) but intreat you to communicate this paper to y<sup>e</sup> Councill at their next meeting. Cap<sup>t</sup> Reeueley (who acted vpon the Security of y<sup>r</sup> warr<sup>t</sup>) hath been extraordinarily sick & Mathewes is very much disenabled by his close imprisonment; should any of them miscarry vnder this Confinement, their liues as well as their libertyes must be seuerely accounted for: their enlargem<sup>t</sup> & Satisfaction for their false imprisonment is the least amends can be made them, but if that will not be harkned vnto I hope the tender of my Security cannot reasonably be denied. pray favour me with the Councills answeare hereto that I may know how to proceed in this affaire. I am y<sup>r</sup> Hon<sup>r</sup> most humble seru<sup>t</sup>

ED RANDOLPH Cott.

To Symon Bradstreet Esq. Gou<sup>r</sup>

[*Endorsed*] Lett<sup>r</sup> to y<sup>e</sup> Gou<sup>r</sup> of Boston.

Sep<sup>r</sup> 21. 1682.

about Dan Mathewes enlargm<sup>t</sup>

RANDOLPH ORDERED TO COME TO ENGLAND.

*State Papers, Colonial, Entry Book. Journal Board of Trade 107 (64).*

At the Committee of Trade & Plantations in  
the Council-Chamber at White Hall

Saturday the 30<sup>th</sup> of Septemb<sup>r</sup> 1682.

Present: Prince Rupert, Lord President, Duke of Ormond,  
Marq: of Halifax, Earl of Conway, Earl of Craven, Earl of  
Clarendon, Lord Hyde, M<sup>r</sup> Sec<sup>y</sup> Jenkins, M<sup>r</sup> Seymour.

M<sup>r</sup> Randolph. Their Lo<sup>ps</sup> being moved that M<sup>r</sup> Randolph may  
bee



bee directed to come over into England in order to attend New England. the further progress of the business of New England; and their Lordships taking notice of the great opposition hee is like to find in the execution of his Office untill there shall bee some further settlement of y<sup>e</sup> affairs of that Colonie and that hee may bee usefull to his Ma<sup>ty</sup>'s service by his attendance here for some time, either in the Regulation of the Government upon the receipt of the powers which His Ma<sup>ty</sup> has directed to bee sent over to their Agents here, or in default thereof, in the prosecution of the Quo Warranto intended to bee brought against their Charter of the Massachusetts; It is therefore thought fit that M<sup>r</sup> Randolph have orders forthwith to come into England for the purpose above mentioned.

MEMORIAL OF EDWARD RANDOLPH RESPECTING MONEY ILLEGALLY TAKEN FROM HIM.

*Massachusetts Archives*, Vol. CVI., p. 269.

Order to pay him. 13 October 1682.

To the Hon<sup>d</sup> Symon Bradstreet Esqr Gou<sup>r</sup> & to y<sup>e</sup> Company of y<sup>e</sup> Massachusetts Bay in New Eng<sup>d</sup> now sitting in Court at Boston

Proposals referring to disbursements made for his Ma<sup>ties</sup> Service by Ed Randolph Esqr. Collector. of his Ma<sup>ties</sup> Customs in New Eng<sup>d</sup>

In the yeare 1680. during the prosecution of Seuerall Seizures made in his Ma<sup>ties</sup> name. the said Edw<sup>d</sup> Randolph by an Order of Court made at Boston 1 Oct: 1680. was obliged to deposite in Court the Sum of 10<sup>th</sup> before he could  
be

be admitted to proceed to tryall: by which meanes he hath paid to M<sup>r</sup> Rawson Sec<sup>ry</sup>. for Courts held at Boston. & to M<sup>r</sup> Davis of York for a court held then in y<sup>e</sup> yeare 1680. the Sum of 19<sup>th</sup> 19<sup>s</sup>. 0<sup>d</sup>. which money hauing been illegally paid by the Said Edw<sup>d</sup> Randolph, his Ma<sup>ties</sup> in his Royall Wtts<sup>e</sup> to this Gom<sup>t</sup> of Oct: 21. 1681 hath expresly required should be forth with repaid/

It's therefore proposed.

1. Wheither this Gen<sup>l</sup> Court will Stand by & allow of the Said Order made Oc<sup>r</sup> 1. 1680: to be binding & ought to be obserued equally & to be of the Same force as a Law made by the Gen<sup>l</sup> Court Whereas Law Booke p: 1 — It is ordred, that No mans Estate shall be taken away or any ways endamaged vnder Countenance of Authority vnlesse by vertue of Some Expresse Law of y<sup>e</sup> Country Warranting y<sup>e</sup> Same. But there was no such Law in force when the said money was So paid, therefore that order as arbitrary ought to be Explanded.

2. Wheither this Gen<sup>l</sup> Court will order a Speedy repaym<sup>t</sup> of that money (as directed in his Ma<sup>ties</sup> Said Letters) now a Second [time] by me demanded of the Gen<sup>l</sup> Court by the said Edw<sup>d</sup> Randolph. otherwise he will be compelld' to recouer the Same of the Messengers now attending in Eng<sup>d</sup> who were present in Court at y<sup>e</sup> ordring & paym<sup>t</sup> of part of that money — & are liable to be sued for it —

As to the Sum of 5<sup>th</sup> being part of my Moiety of the fine paid by Tymothy Armitage about Dec<sup>ber</sup> 1680: for breach of the 14<sup>th</sup> of y<sup>e</sup> King: I marvell with what Confidence M<sup>r</sup> Russell should So long deteine it, there being no Colour of pretenc for his So doing. for the Same Act vpon which

Armitage was fined 40<sup>lb</sup> for breach thereof doth expressly enact, the payment of one moiety of the forfeitures to his Maties & the other Moiety to the prosecutor: So that either the said Armitage was very unlawfully fined (which cannot be granted) or that part of my Moiety unjustly obtained by M<sup>r</sup> Russell. which is referred to be considered of, and an answere in writing desired by Y<sup>r</sup> Humble Seru<sup>t</sup>

ED RANDOLPH: Coll.

Boston. Oct: 13:

1682:

The deputy[es] beinge much vnaquainted y<sup>e</sup> Contents hereof desire y<sup>e</sup> hono<sup>r</sup> magists will Consider of Some meet answer hereto in y<sup>e</sup> first place

WILLIAM TORREY S<sup>r</sup>y

In Answer to what M<sup>r</sup> Randolph hath proposed — The magists Judge meet to order the Tresurer of the Count[r]ey to pay him the said M<sup>r</sup> Randolph the sume from ye money mentioned in his proposall: their brethren the deputies hereto Consenting

EDWARD RAWSON, Secrety

18<sup>th</sup> of October 1682

AN ACCOUNT OF MONEY ARISING AND DUE TO HIS MATIES VPON SEIZURE OF Y<sup>r</sup> FOLLOWING SHIPS & COMODITIES MADE BY EDWARD RANDOLPH ESQ. COLLECTOR OF HIS MA<sup>TIES</sup> CUSTOMS IN NEW ENG<sup>d</sup>. FOR BREACH OF THE ACTS OF TRADE WHICH BY LAW ARE BECOME FORFEITED & VPON TRYALL OUGHT TO BE CONDEMNED, BUT WERE ARBITRARY FREED BY THE COURTS HOLDEN AT BOSTON PORTSMOUTH & YORK IN NEW ENG<sup>d</sup>. IN Y<sup>r</sup> YEARES 1680: 1682.

Boston in New  
Eng<sup>d</sup> Nov<sup>r</sup> 17:  
1682.

*State*

# Documents and Letters.

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*State Papers, Colonial, Bundle 53 (129).*

at Boston <u>1680.</u>	The Pink Expectation of Boston Thomas Gretian M <sup>r</sup> . . . . .	450 0 0
	The Ship Maidenhead of Nubery John Haling M <sup>r</sup> . . . . .	500 0 0
	50 hog <sup>ds</sup> of Tobacco in Boston Georg Hutchison Merc <sup>t</sup> . . . . .	100 0 0
		<u>1050 0 0</u>
<u>1682.</u>	The Ship Hope of Boston John Plaice M <sup>r</sup> . . .	100 0 0
	Seuerall Barr <sup>ls</sup> & parcells of Scotch goods in a warehouse in Boston in possession of Georg Hutchison Merc <sup>t</sup> . . . . .	200 0 0
	The Sloop Swallow of Boston Andrew Willett Owner . . . . .	070 0 0
	The Ketch Nubery of Nubery Ifaac Enelish M <sup>r</sup> .	300 0 0
	The Pink Good Hope of Boston Rob <sup>t</sup> Wallis M <sup>r</sup> . . . . .	500 0 0
		<u>1170 0 0</u>
At Portsmouth in the province of New hampsheire.		
<u>1680.</u>	The Ketch Providence of Portsmouth Mark Haukin M <sup>r</sup> . . . . .	400 0 0
	The Sayles & the Rigging of the Ship An of Portsmouth Eli Nicholls M <sup>r</sup> . . . . .	100 0 0
		<u>500 0 0</u>
At York in y <sup>e</sup> Province of Maine.		
<u>1680.</u>	The Bark Guift of God of Jarfey Eli Nicholls M <sup>r</sup> . . . . .	100 0 0
		<u>100 0 0</u>
		<u>2820 0 0</u>

His

*Edward Randolph.*

His Ma<sup>ties</sup> third Part of the Sum of 2820<sup>n</sup>  
 comes to . . . . . 0940 0 0  
 A like third part due to the profecutor . . . 0940 0 0

EDRANDOLPH Cott.

[*Endorsed*] Boston 17 Nov. 1682. Acc<sup>t</sup> of dues to his Ma<sup>ty</sup> upon seizures  
 of ships. Rec<sup>d</sup> the 20 feb. 1683.

PETITION OF TIMOTHY ARMITAGE.

*Massachusetts Archives*, Vol. CVI. p. 270, 17 October 1682.

The humble petition of Robert Butcher Attorney to Timothy Armitage, To the honourable Gouvernor Simon Broadstreett & Generall Court now assembled.

Thatt this honourable Court would be pleased to grant unto f<sup>th</sup> Butcher as aboue f<sup>th</sup> a hearing of a case, wherein Edw<sup>d</sup> Randolph Esq<sup>r</sup> as Collector &c profecuted Timo Armitage, att a Court of Assistance, held the 26 of December 1680 in an action for breach of the act of the fourtenth of the King; for affronting & abusing f<sup>th</sup> Randolph in profecuting of his office; as may more amply apear by the Records of f<sup>th</sup> Court, & upon hearing of f<sup>th</sup> case, f<sup>th</sup> Court did ffind f<sup>th</sup> Armitage the sum of fourty pounds in money; the which sum was p<sup>d</sup> to James Russell Esq<sup>r</sup> country treasurer, & the f<sup>th</sup> case being heard att a Speciall Court of Assistance held the 22<sup>d</sup> of May & there finding no relief, doth therefore now humbly addrefs.

Thatt whereas f<sup>th</sup> Armitage having been profecuted for breach of a pretended Law, which Law was never published by orde<sup>r</sup> of this Generall Court, as the Law directs & consequently

quently no Law of this Jurisdiction and our Law making provision that no mans estate shall be taken away butt by virtue of some exprefs Law waranting the same, established by the Generall Court & sufficiently published; now whereas as I<sup>st</sup> Armitages estate is taken away as aboue I<sup>st</sup>, yo<sup>r</sup> petitioner doth hope thatt this honoured Court upon hearing of the case will give relief according to Law & equity; in doing of w<sup>th</sup> yo<sup>r</sup> petitioner shall ever pray as in duty bound.

ROBERT BUTCHER

The Deputys grant the petitioner a hearing of his Case on the first Tuesday of the next Court of Election, the hon<sup>d</sup> Maj<sup>ties</sup> Consenting<sup>14</sup> Oct 17. 1682.

ELISHA HUTCHINSON.

RANDOLPH TO JENKINS.

*State Papers, Colonial, Bundle 53 (39).*

Boston No<sup>ber</sup> 13<sup>th</sup> 1682

Right Hon<sup>ble</sup>

In my former lett<sup>r</sup> to y<sup>r</sup> Hon<sup>r</sup> I haue often represented the Contempts put vpon His Ma<sup>ties</sup> Authority by the Bostoners. I now send M<sup>r</sup> Blathwaite amongst other papers my Affidavit made at New Hampsheire (for here 'twould not be taken) in confirmation thereof. I am well assured the Agents will endeavour to avoide or denye what I haue objected against their arbitrary proceedings: if my single testimony is not sufficient I shall vpon y<sup>r</sup> Hon<sup>r</sup> Commands attend this busines at Whitehall. here they please themselues with the Character (as they giue out) which my Lord Culpepper gaue  
of

<sup>14</sup> The Consent of the Magistrates does not appear in the Records.

of them to his Ma<sup>ty</sup>. It's very true here are many sober & loyall Gent & men of estates in this Colony who were they in power would with all Cheerefulnes Submitt to & promote a thro' regulation & a perfect Conformity to his Ma<sup>ty</sup>'s lawes: but so long as the faction whereof M<sup>r</sup> Danforth is the Cheife (like the late Rump in Eng<sup>d</sup>) beare down all by their numbers of votes in the house of Deputyes at a Gen<sup>l</sup> Court, lett the Agents promise what they will, Very few honest men can be admitted into places of trust or creditt, if the matter be left to their ordring.

Vpon y<sup>e</sup> 9<sup>th</sup> of Aprill 1681 I exhibited to his Ma<sup>ty</sup> in Councill 7 Articles of misdemeanour against M<sup>r</sup> Danforth: if the Agents offer anything in his defence I humbly pray an Order to examine Witneses here, as well to proue those Articles as other matters I haue represented And that I may bee heard. In my petition to his Ma<sup>ty</sup> read that day in Councill I complain'd that the Gom<sup>r</sup> of Boston converted to y<sup>e</sup> vse of their Colony fines & forfeitures due to his Ma<sup>ty</sup> vpon breach of the penall Lawes. I then made appeare that in Dec<sup>ber</sup> 1680 One Armitage M<sup>r</sup> of a Ship was fined 40<sup>n</sup> for affronting & not suffering me to goe aboard his vessell in Boston Road: being prosecuted by me vpon breach of the Act of the 14<sup>th</sup> of y<sup>e</sup> King, he was ordred & did pay the fine to the treasurer of y<sup>e</sup> Colony. Vpon the 10<sup>th</sup> instant (as at other tymes before) in pursuance of my instructions from y<sup>e</sup> Comm<sup>rs</sup> of his Ma<sup>ty</sup>'s Customs I demanded his Ma<sup>ty</sup>'s Moiety of that fine, which is Condiscended to be paid me vpon the tearmes as in y<sup>e</sup> in Closed (being a Copy of an Order of Gou<sup>r</sup> & Magistrates) but they haue no pretence to that money being his Ma<sup>ty</sup>'s Right by that Act. I haue this  
yeare

yeare made feuerall seizures for his Ma<sup>tie</sup> & brought them to Tryall in y<sup>e</sup> Courts in Boston but in very plain cases am cast by the Juryes, who vpon the L<sup>d</sup> Shaftsbury & others being cheered at y<sup>e</sup> Old Bayley take the like Confidence and are as arbitrary here. So that tho' I haue full power from his Ma<sup>tie</sup> to act, I thereby onely increase my charge & trouble without that benefitt which by law doth appertain to the Prosecutor, and I must expect no better till there bee a thro' change & Sincere obedience to the Acts of trade.

Who would beleieve that during the tyme their Agents are accounting for former Contempts, they should be so daring as to denye appeales to his Ma<sup>tie</sup> in Councill from their Courts, & this day to serue an Execution for a boue 100<sup>l</sup> against my body & goods either to deliuer vp the sloop Swallow to Andrew Willett Owner or to pay y<sup>e</sup> money; when as I haue appealed to his Ma<sup>tie</sup> in that Case, as by my petition & Appeale (a Copy whereof is sent to M<sup>r</sup> Blathwaite) doth appeare; hauing had two tryalls for her in Boston: and likewise to refuse to pay me the money they illegally extorted from me for calling Courts to trye his Ma<sup>ties</sup> Causes in y<sup>e</sup> yeare 1680, when as amongst other things by them as much neglected they are expressly required by his Ma<sup>ties</sup> lett<sup>r</sup> of Oct: 21. 1681. to this Gom<sup>l</sup> to repay me that money, as by my affidavit appeares. Neither haue they suppressed their Navall Office set vp in opposition to his Ma<sup>ties</sup> lett<sup>r</sup> patents erecting an Office of Collector of his Ma<sup>ties</sup> Customs in New Eng<sup>d</sup> the Gou<sup>r</sup> & feuerall Magistrates not allowing of it, but on the Contrary would putt it down this Gen<sup>l</sup> Court if not ouer voted by Danforths Partye.

I humbly beseech y<sup>r</sup> Hon<sup>r</sup> pardon if according to the  
Custome



Custome of this place my papers are guilty of repetition. I am far distant (no small advantage to the Agents) & as yet know not how their affaires proceed. be pleased to impute the trouble of my lett<sup>r</sup> to y<sup>r</sup> Hon<sup>r</sup> to the great desire I haue to see his Ma<sup>ties</sup> Authority settled here, that I may haue that due Countenance and encouragem<sup>t</sup> in the Execution of my place & duty as the Law Requires.

I remaine

Right Hon<sup>ble</sup>

Your most humble &

most obedient Seru<sup>t</sup>

EDRANDOLPH.

[*Addressed*] To the Right Hon<sup>ble</sup>  
S<sup>r</sup> Lionell Jenkins his Ma<sup>ties</sup>  
Principall Secretary  
at White hall.

[*Endorsed*] New England } 13 Nov. 82  
Boston } R Jan. 83  
M<sup>r</sup> Randolph.

FROM M<sup>r</sup> RANDOLPH TO Y<sup>r</sup> COMM<sup>tees</sup>

*State Papers, Colonial, Bundle 57 (517), 30 Dec. 1682.*

Right Hono<sup>ble</sup>

Upon the Arrivall of M<sup>r</sup> Cranfield in Octob. last to this Governm<sup>t</sup> I expected to find the People conforme to the Acts of Trade and Navigation, the Governo<sup>r</sup> amongst other things for his Ma<sup>ties</sup> Service, having press<sup>d</sup> that on them, as a necessary part of their interest and duty, upon which (after many repulses formerly received here, and at Boston) I was encouraged to proceed against a Scotch vessell called the  
Ketch

Ketch George, that about Aug. laſt came into this River with a conſiderable Cargo, and had eaſy admittance to enter and trade (tho' in no one point qualified according to the Acts of Navigation) after ſome enquiry, I found that at her Entry ſhe produced no Certificate that ſhe was Engliſh built, but that ſhe belonged to Scotch Owners, and was ſailed hither by a Native Scotchman, the Maſter, and the Marri-ners Scotchmen alſo; wherupon I ſeized her upon the 23<sup>th</sup> of Oct<sup>r</sup> for his Ma<sup>ty</sup> and acquainted the Governo<sup>r</sup> of it, who immediatly gave his directions in writing to M<sup>r</sup> Stileman then Cap<sup>t</sup> of the ffort not to ſuffer her to paſs the Port with-  
out order, and by his Commiſſion appoints a ſpecial Court to be holden at Portſmouth upon the 21<sup>st</sup> inſtant in order to her trial, and care was taken to ſummon perſons well verſ'd in Maritime affairs to be of the Jury, But notwith-  
ſtanding the Governo<sup>r</sup>'s great care and diligence herein, the Ketch lying almoſt a league from his Reſidence, it was agreed upon by the Interloping party that the Veſſel ſhould be carried away to avoid the penalty of the law, and accord-  
ingly upon the 19<sup>th</sup> inſtant after Sunriſing ſhe was ſuffered to paſs the ffort and not one ſhott made at her, however the Court mett and adjourned till the 29<sup>th</sup> inſtant, where al-  
though M<sup>r</sup> Martin the Officer appointed to take Entries did in Court make Oath (a Copy of whoſe Affidavit is here incloſed) that at the time of her Entry, no Certificate was produced &c. as required in the 12<sup>th</sup> of the King, yet the Jury encouraged by the Arbitrary and Succeſſfull verdict of the Lord Shaftsbury's Jury at the Old Baily (now become a leading Preſident [precedent] to the ffractious here) find directly againſt the Act made in the 12<sup>th</sup> of the King, and  
bring

bring in a verdict with costs against His Ma<sup>ty</sup> which the Governo<sup>r</sup> highly repented it being a contrivance and combination of their Minister a rigid Independent, and some Church members of which Society is Stileman, Jefferies the pretended Owner of the Ketch a Scotchman and four of the [<sup>neither</sup>] leading men of that Jury, So that \* his Ma<sup>ty</sup> late clemency, nor the favour and moderation exercised by the Governo<sup>r</sup> amongst them can influence or is regarded, where the interest of their party is concern'd. However the Governo<sup>r</sup> that he may not be wanting to assert those Acts of trade which by Oath he is bound to observe, hath in the first place Suspended Stileman the Councill putt him out of the ffort and declared him incapable of any place of trust in the Province, committing that charge to the care of Cap<sup>t</sup> Barefoot one of the Councill a sufferer here for his Loyalty: and hath likewise directed me to prosecute the Jury by Attaint or otherwise, and all other persons who shall be found contrivers in this Escape. And further hath wrote to all the Governo<sup>r</sup>s of Barbados, Jamaica &c. and to the Confulls of Maderas and ffall to seize the said Ketch and Cargo if she come there, and to send the Master and Men hither to be prosecuted for running away with the Ketch seized for his Ma<sup>ty</sup> and under custody of the law, resolving as farr as in him lies to terrifie (at least) if not wholly to destroy this combination carried on against his Ma<sup>ty</sup> Authority, and the Acts of trade and Navigation, by a party from whom the Minister one Moody a private trader receives no small proffitt.

I hope to find a Jury who will attend their Oaths and duty, at my next tryall, where if they find for his Ma<sup>ty</sup> in my  
Attaint

Attaint of the former Jury, I shall catch some of the great promoters of this late designe, But so long as the Bostoners by this thriving practice of Juries finding ag<sup>t</sup> his Ma<sup>ty</sup> in plaine Cases, wherin law and Evidence direct the contrary, are not yet brought to an account for the mony due to his Ma<sup>ty</sup> and my self as Prosecutor, these hope to escape & continue their interloping. It will likewise be a very difficult matter for this Governo<sup>r</sup> to reduce these to a due conformity in trade, having the advantage of many small Creeks on the other side of this River belonging to the Province of Maine where their prohibited goods & Vessels are covered and secured, so that in point of interest & trade also, its absolutely necessary that the Bostoners by speciall Commission be engaged to make answer upon the place (or where else his Ma<sup>ty</sup> shall please to appoint) for the Escapes of goods and Vessels seized and prosecuted by me for his Ma<sup>ty</sup> made by such illegall verdicts. And that the Province of Maine be added to this Governm<sup>t</sup> being parted only by the River of Pascattaway, the sole place of trade in this Province. I am

Right Hon<sup>ble</sup> y<sup>r</sup> Lord<sup>sh</sup><sup>ps</sup>

Province of Newhampshire

most humble &

30 Decem<sup>r</sup> 1682.

most obedient Seru<sup>t</sup>

EDRANDOLPH.

[*Addressed*] To the Right Hono<sup>ble</sup> the Lords of  
the Committee of Trade and  
Plantations at  
Whitehall.

[*Endorsed*] N. Hamp<sup>sh</sup> 30 Dec. 82.  
From M<sup>r</sup> Randolph  
to the Comitte.  
Rec<sup>d</sup> y<sup>r</sup> 18<sup>th</sup> May 1683.

EDWARD

## EDWARD RANDOLPH TO THOMAS HINCKLEY.

*Massachusetts Historical Society Collections, Fourth Series, Vol. V. p. 82.*

Boston Janry 22. 1682

Honored Sir, I am to acquaint you that on the 23<sup>d</sup> of this instant, his majesty, by order of Council of 20<sup>th</sup> of September last, doth bring a *quo warranto* against this charter, and I am ordered to come to England to attend that service; and his majesty hath ordered the agents to send home for full instructions, which may mitigate the proceedings in England.

I have been at Piscataqua, where Governor Cranfield is appointed Chief of that Province; and believe in a little time that of Maine will be added to his government. About the 23<sup>d</sup> of October last I seized there a Scotch vessel; and on the 21<sup>st</sup> of December a court was called to try her: but one Jeffrys a Scotchman, and inhabitant there, contrived her escape two days before the trial; yet was so wicked as to declare upon oath that he knew nothing, directly or indirectly, of it; but the contrary was made [to] appear by two witnesses. However the vessel was gone; yet I proceeded to trial. At first the jury against law and evidence (as is practicable here in my affairs) bring in their verdict against the King. Afterwards, finding themselves in great error, and desire leave of the court to amend their verdict, which was granted, the Ketch was condemned and sold to Jeffrys for £120. Mr Stileman, captain of the fort, was put out of fort and council for his neglect; and Mr. Moode[y] received a severe check from the Governor for intermeddling in matters of government,

ment, and was desired to forbear, else would [*blank*] as a disturber of the peace of his majestys Government. Mr. Waldron sits very uneasy, having done very ill things. Here is a Generall Court called on the first Wednesday in February to consult the necessities of this place. It's believed they will not intrust their agents with further power, but commit their charter to a fair trial at law.

I go to Piscataqua about the 10th of February; return God willing, in a fortnight's time. 'T will be very necessary that I see you in Boston about the beginning of March to adjust the matters of our colony; being to go aboard a ship from hence about the middle of that month. I have many papers to communicate, and shall be ready to receive your commands.

I remain, sir, your servant,

ED. RANDOLPH

From Mr. Rawson's house: who is very ill of a cough, the common distemper of this place.

M<sup>r</sup> RANDOLPHS LETTER TO Y<sup>r</sup> GOVERNOR.

*State Papers, Colonial, Bundle 54 (125).*

Boston 5 february 1683.

Hon<sup>d</sup> S<sup>r</sup>

In answere to your Hon<sup>r</sup> proposalls, That vpon my arriual in England I should not act any thing to the prejudice of this Countrey, I haue first to say, that such hath beene the greate care and Justice att Whitehall in all the proceedings relating to your affaires that nothing hath beene receiued or insifted vpon there, But what hath naturally arissen from some vnwar-ranted

ranted act of your Generall Court, or upon some greate and continued (I will not say designed) neglect of his Maj<sup>ties</sup> Comānds: in his feuerall Letters to you, to which I desire the Generall Court will now bee referred, and I belieue upon their impartiall consideraçon thereof, itt will appeare, that the many, and repeated expressions of Loyalty, Duty, and Obedience, abounding in all your letters and Addresses to his Maj<sup>tie</sup>, haue beene vsed only to protract time & to avoid that Regulation, which his Maj<sup>tie</sup> from the first dismissal of your Agents in 1662 intended to bee made in your Gouvern<sup>mt</sup> and the Omission therof is one part of the matters objected.

When M<sup>r</sup> Stoughton and M<sup>r</sup> Bulkly your late Agents attended at Whitehall they foresaw and prudently endeavoured to obuiate the impending danger by offering in behalfe of the Colony 6 Propofalls upon which his Maj<sup>tie</sup> was induced to beleive and expect a Regulation would bee made by your selues pursuant to his Royall Letters bearing date the 24 July 1679 containing the most materiall things mentioned in those propofalls, But how well obserued and what impression that letter made upon this Gouvern<sup>mt</sup> your Present Messeng<sup>rs</sup> are shortly to account for, I haue inclosed you a copy of those propofalls that you may know they are upon Ricord att Whitehall.

His Maj<sup>ties</sup> Royall Letters of the 21 October 1681 (vpon my producing Order made the first of October 1680 directing me to pay 10<sup>li</sup> for a speciall Court to vouch my account for payment therof, and also M<sup>r</sup> Attorney Generalls Opinion, that that Order was Illegal) did require the repayment of those summs of money (so paid) to me, so that I know I shall  
haue

haue liberty to demand and recouer itt of your messeng<sup>r</sup> in [Eng<sup>d</sup>] altho' hitherto I haue beene delayed, haueing that opinion to Justifie my demands, which because it includes other matters of neerer concerne to the Goum<sup>t</sup> I also out of freindship communicate to be considered of, that your mes-  
seng<sup>r</sup> may bee prepared to make an answer therunto.

I know many of your Deputies will object that they are not to bee guided by one mans opinion But when 'tis remembred, that in your Last Address to his Maj<sup>tie</sup> you offer'd [by] the opinion of S<sup>r</sup> William Jones then Attorney Gen<sup>l</sup> to Justifie your purchase of the Province of Maine his opinion likewise in other matters relating to some proceedings of this Goum<sup>t</sup> is receiued att the Councill Board and allowed of.

What will your messengers say, when that at the same time in their Address to his Maj<sup>tie</sup> they make a large enumeration of such and so many blessings and aduantages, arising to this Colony thro' the ffauour of his Maj<sup>tie</sup> Royall ffather of happy memory and his Maj<sup>ties</sup> owne propitious inclinations towards you ever since his happy Restauration, that you cannot easely represent or exprefs your gratetude to Almighty God or your obligaçons to his Maj<sup>tie</sup> for the same and conclude your address with intreating his Maj<sup>ties</sup> Royall fauour in the acceptance of your messengers present attendance with his Maj<sup>ties</sup> gracious countenance upon you his poore Subjects here, intimating how gratefull itt would bee to you, to be further intrusted with the care of this his Maj<sup>ties</sup> Gouvern<sup>t</sup> when att the same time by instructions giuen your messengers, you putt very little confidence in his Maj<sup>tie</sup> or the Lords of his most Hon<sup>ble</sup> Priuy Councill as appears  
by



by aduices lately come to my hand from Whitehall, which are faithfully transcribed as ffolws: "The Bostoners will finde they haue taken wrong measures not considering that they who haue once Violated the Publick faith giuen to their Last Agents are to bee trusted no more, their present mesfeng<sup>rs</sup> haue no other Authority then what imployed in their addrefs and their instructions (to vse their owne terms) is not to concede any thing that may infringe the liberty etz<sup>t</sup>: graunted them by his Maj<sup>ties</sup> char<sup>t</sup> or their Gouvern<sup>mt</sup>." and now will not all the World belieue that you adhere more to the answere of your Elders deliuered by M<sup>r</sup> William Hubbard in their names 6: January 1680 then to his Maj<sup>ties</sup> Royall and exprefs Com<sup>mands</sup>: as by a part of that answere truly transcribed doth appeare viz! "wee likewise humbly conceiue that this Hon<sup>ble</sup> Court ought to vse vtmost care and caution that no Agents of ours shall act or haue power to act any thing that may haue the least tendency towards yealding up or weakening this Gouvern<sup>mt</sup> as by Patent established, It is our vndoubted duty to abide by what rites and Priuiledges the Lord our God in his mercifull Prouidence hath bestowed upon vs, and whateuer the Euent may bee the Lord forbid that wee should bee any way actiue in parting with them."

One thing I think necessary to reminde you that his Maj<sup>tie</sup> by signefying to your Messengers that if they did not procure larger power from you in order to a regulac<sup>on</sup> in your Gouvern<sup>mt</sup> his Maj<sup>ty</sup> would cause a Quo Warr<sup>o</sup> to bee brought against your Charter, ['tis] not to bee vnderstood that his Maj<sup>ty</sup> cannot proceed to such a regulation without your consent ffor his Maj<sup>ty</sup> hath many wayes to attaine the  
good

good ends of such proceedure whether you had sent any messengers or not for by your Charter it is lawfull for his Maj<sup>ty</sup> to put you out of his allegiance and protection upon your acting illegally towards his Maj<sup>ty</sup> Subjects or the Subjects of any fforaigne Prince in Amity etz<sup>d</sup>. What Security remains to you to be continued under that fauoure doth not yet appeare to me, after so many and so open disavowing, his Maj<sup>ty</sup> your Leige Lord and Soueraigne his Royall Commands and Authority.

By the Acts of trade and Nauigaçon You are admitted and do enjoy the benefitt of trading in his Maj<sup>ties</sup> plantations equall with his Subjects in England, But it is alwayes to bee vnderstood, no longer then you conforme to the methods of trade laid downe in those Acts, So that his Maj<sup>ty</sup> may also by his Royall Proclamation debarr and exclude your shipping from further injoyment of that liberty since to this day those Acts haue not beene owned nor obserued in this Colony.

And as to his Maj<sup>ties</sup> bringing a Quo Warr<sup>to</sup> against your Charter take the opinion in the words of S<sup>r</sup> William Jones and S<sup>r</sup> ffancis Winnington upon some papers sent to them from the Right Hon<sup>ble</sup> the Lords of the Co<sup>m</sup>ittee of trade as ffollows; viz<sup>t</sup>: "As to the misdemeanors objected against the Corporation of the Massachusetts Bay in New England in manageing their Patent Wee are of opinion that if the same can be proued to be true and that they were committed since the Act of Obliuion they do containe sufficient matters to avoid the Patent but that cannot otherwise be done to [*sic*] but by a Quo Warr<sup>to</sup> — William Jones ffrā<sup>n</sup>: Winnington." Now as to the Proof required that's easy to bee made out

by the Petition of your late Agents deliuered to his Maj<sup>ty</sup> on behalfe of this Gouvern<sup>t</sup>, about the 16 of December 1677.

Certainly 't will not alwayes prooue safe still to go on upon a confidence that the whole Countrey will assist and stand by you, In hopes att Last from your Numbers to obtaine a generall pardon. As to the Neighbouring Colonies 't is their intrest to bee quiett and hold a faire correspondance att Whitehall, the Majority of the freemen with a farr greater number of the vnfreemen in this Colony will decline when they finde themselues deluded, But especially when their estates must bee accountable for the miscariages of their representatiues unless his Maj<sup>ty</sup> bee the more mercifull vnto them, But besides this his Maj<sup>ty</sup> is well informed what persons in the present gouern<sup>t</sup> haue (as farr as with prudence they could) opposed the matters complained of so that their Number will dwindle to a very few, Howeuer (notwithstanding the frequent abuses offered to me and mine, w<sup>ch</sup> I heartily forgiue) I shall not bee wanting to do all good offices to this Countrey, upon their humble Submission to his Maj<sup>ty</sup> first made, And endeauour to procure his Maj<sup>ty</sup> Royall Pardon to all the Inhabitants of this Colony, Likewise for the continuance of the free Exercize of Liberty of Conscience in matters of Religion, And Lastly that no mony may bee raised in this Colony but by the consent of the people. These I looke upon as Essentially necessary to the commun Benefitt of this Plantation, As for other occurrences your messengers are attending and most proper to folicite on y<sup>r</sup> behalfe Now in regard these papers are of Generall concerne pray Lett them be read with y<sup>r</sup> inclosed copyes

copyes in the Generall Court this next Session, and you will  
oblige Your Hon<sup>r</sup>

most Humble Seruant

ED: RANDOLPH.

To the Hon<sup>d</sup> Symon Broadstreet Esq<sup>r</sup>  
Gou<sup>r</sup> of the Colony of the Massachusettts  
Bay in New England.

dd.

[*Endorsed*]

Copy of a Letter from  
Edward Randolph Coll<sup>r</sup> to  
Gou<sup>r</sup> Broadstreete of Boston.  
Rec<sup>d</sup> y<sup>e</sup> 4 June 1683. M<sup>r</sup> Randolph.

THOMAS DANFORTH TO EDWARD RANDOLPH.

*Massachusetts Archives*, Vol. CVII. p. 55.

M<sup>r</sup> Randolph.

Cambr. 2. 2 : 83

Our hon<sup>d</sup> Governo<sup>r</sup> not coming to court on Saturday last,  
I had not opportunity to mention to him that matter you  
spake to me off, but being well assured of his Readiness, I do  
therefore give you this account.

S<sup>r</sup>, you are now committing yo<sup>r</sup> selfe to God's protection  
upon the mighty seas. I shall only commend & leave with you  
this one word of counsell. If God doth give you like visit as  
he did to Laban, (Gen. 31. 24.) be not worse than he appears  
to be (vers. 29). God hath made you an eye & ear witnesse  
of the sincere desire of this poor people, with whom you  
have Sojourned some years, to serve God & honour the King:  
resolve not, therefore, to be an enemy to them, who have  
done you no wrong, least the Lord say of you as is expressed  
Exod. 9. 16. I beg of you to read the 9 first verses of the  
ninth

ninth of Acts, & muse seriously theron in y<sup>e</sup> night season;  
when you feel God's Holy Spirit communing with yo<sup>r</sup> Soul.

Excuse me, I beg y<sup>r</sup> pardon

THOMAS DANFORTH.

RANDOLPH TO JENKINS.

*State Papers, Colonial, Bundle 57.*

Right Hon<sup>ble</sup>

Exiter, May 29<sup>th</sup> 1683.

In obedience to an Order of y<sup>e</sup> Right Hon<sup>ble</sup> the Lords of  
the Committee for Trade, requiring my Coming to Eng<sup>d</sup>. I  
embarqued upon y<sup>e</sup> first Ship from New Eng<sup>d</sup> & by contrary  
winds was putt into Falmouth: am now Coming for White  
hall with all Convenient Speed.

I have brought over with me in Chaines one Edward  
Gove an Assembly man of y<sup>e</sup> Province of New Hampshire  
Condemn'd for High Treason for raising a rebellion in that  
province. I have with me his tryall signed & attested by  
the Judge of y<sup>e</sup> Court, as also many papers of Concern to  
his Ma<sup>ties</sup> affaires which I shall present upon my arrivall, &  
remaine y<sup>r</sup> Hon<sup>rs</sup>

most humble & most obedient Serv<sup>t</sup>

ED: RANDOLPH.

[*Endorsed*]

Exoñ. 29 May 83.  
M<sup>r</sup> Randolph of his  
being Landed with Gove.

[*Addressed*]

For his Ma<sup>ties</sup> Speciall Service.  
To the Right Hon<sup>ble</sup>  
S<sup>r</sup> Lionell Jenkin his Ma<sup>ties</sup>  
Principall Sec<sup>ry</sup> of State  
at White hall.

*Deliver.*

ARTICLES

ARTICLES AG<sup>t</sup>. Y<sup>e</sup> GOM<sup>t</sup>. & COMPANY OF Y<sup>e</sup> MASS<sup>s</sup> BAY IN  
NEW ENG<sup>d</sup>.

*State Papers, Colonial, Bundle 54 (105), 4 June 1683.*

1. They haue erected a Publick mint in Boston and Coine money with their Own Impresse.
2. They impose upon y<sup>e</sup> Consciencyes of his Ma<sup>ties</sup> Subjects in matters of Religion by their Lawes Ecclesiasticall being repugnant to y<sup>e</sup> Lawes of Eng<sup>d</sup>.
3. They refuse appeales to his Ma<sup>ty</sup> in Councill in matters relating to y<sup>e</sup> Crown.
4. They impose Dutyes & Customs vpon goods imported their Colony by his Ma<sup>ty</sup> Subjects from Eng<sup>d</sup> where those goods haue paid all his Ma<sup>ty</sup> dues.
5. They levye what Rates & taxes they please vpon his Ma<sup>ty</sup> Subjects inhabiting their Colony altho' not free of their Company.
6. They haue in opposition to his Ma<sup>ty</sup> lett<sup>n</sup> Pat<sup>n</sup> sett vp a Navall Office altho' no such power is granted them in their Charter.
7. They assume a power of Making freemen not allowed & otherwise then their Charter directs.
8. They haue erected Courts of Admiralty.
9. They haue refused a legall tryall in their Courts in a Cause relating to his Ma<sup>ty</sup>.
10. They haue imprisoned his Ma<sup>ties</sup> Officers for doing their Dutyes & refused the Plea of Gen<sup>l</sup> issue when Offred in their Defence.
11. They haue forced his Ma<sup>ties</sup> Officer to pay money in their Courts before he Could be admitted to prosecute on his

his Ma<sup>ties</sup> behalfe no Law or Order of Gen<sup>l</sup>. Court warranting y<sup>e</sup> Same.

12. They haue putt Seuerall persons to Death for Breach of their Lawes No power granted by Charter for so Doing.

13. They haue imposed illegall oaths vpon his Ma<sup>ties</sup> Subjects Inhabiting y<sup>e</sup> Colony.

14. They haue Caused some of the Inhabitants to signe a Mutinous addresse to his Ma<sup>ty</sup> altho' the best persons of estates in the Colony haue refused.

15. They haue raised great Sum<sup>s</sup> of money vpon the Nonfreemen to purchase for themselues the Province of Maine.

16. They haue not yet suffred his Ma<sup>ties</sup> lett<sup>r</sup>. Patents to be publickly read in their Courts at tyme of tryall of Causes relating to his Ma<sup>ty</sup> Customs.

17. They haue not owned the Act for preventing frauds made in y<sup>e</sup> 14<sup>th</sup> of y<sup>e</sup> King nor the Act for better securing the Plantation trade made in y<sup>e</sup> 25<sup>th</sup> of y<sup>e</sup> King to be y<sup>e</sup> Lawes of their Colony.

[*Endorsed*]

Articles ag<sup>t</sup> y<sup>e</sup>  
Governm<sup>t</sup> of Boston.

Rec<sup>d</sup> 4 June 1683.

M<sup>r</sup> Randolph.

#### EDWARD GOVE TO RANDOLPH, REQUESTING HIS AID.

*State Papers, Colonial, Bundle 57, 11 June, 1683.*

Hono<sup>rd</sup> S<sup>r</sup>

I make bold to trouble you with my affaires, who are a person that know my circumstances very well; I having little

tle hope but from his Ma<sup>ties</sup> mercy desire you will do me the favour to petition the King for my pardon, you know my case and what to vrge in my behalfe, had I known the lawes of the land to be contrary to what was don, I would never have don it, you may well think, I was ignorant of any law to y<sup>e</sup> contrary since for 14 or 15 yeares past, the same thing hath been don every yeare and no notice at all taken of it. S<sup>t</sup> if you can prevayle with his Ma<sup>tie</sup> to pardon me I will endeavour by all the actions of the rest of my life, to deserve it; and make appear to the world that as I am now heartily sorry for having offended his Ma<sup>ty</sup>, so for the time to come I shall by all imaginable services attest my loyalty to the King to the vtmost of my power. I have further to request of you (if it may not be inconvenient) that you will pleas to assist me with some money in my necessity, and (as farr as my promise may signify in the case) do promise that whatever you will be pleased to furnish me withall here, you shall take it out of my estate in New England. These things I desire you will be pleased to do for me, whereby you will do me great acts of charity and alwayes obleidge me to remain

Hono<sup>rd</sup> S<sup>t</sup> To Comand to my poure

EDWARD GOUE.

Tower. 11 June 1683.

[*Addressed*]

To his Hono<sup>rd</sup> freind  
Edward Randolph Esq<sup>r</sup> att the  
Plantation Office

These.

[*Endorsed*]

From y<sup>e</sup> Convict of New Eng<sup>ld</sup>  
to M<sup>r</sup> Randolph. recd 17 Jun. 83.

RANDOLPH



RANDOLPH STATES THAT MASSACHUSETTS INTENDS TO  
DEFEND HER CHARTER AT LAW.

*State Papers, Colonial, Entry Book, Journal, Board of Trade, 107 (167).*

At the Committee of Trade & Plantations  
in the Council-Chamber at Whitehall  
Tuesday the 12<sup>th</sup> of June 1683.

Present: L<sup>d</sup> Archb<sup>p</sup> of Cant<sup>y</sup>, Lord Keeper, Lord President, Lord Privy Seal, Earl of Rochester, Earl of Craven, L<sup>d</sup> B<sup>p</sup> of London, Lord Dartmouth, M<sup>r</sup> Chanc<sup>r</sup> of y<sup>e</sup> Excheq<sup>r</sup>, M<sup>r</sup> Godolphin.

New England.  
Agents.

present an  
Address from  
the Colony to  
the King.

M<sup>r</sup> Joseph Dudley and M<sup>r</sup> John Richards  
Agents for the Colony of the Massachusetts Bay,  
being called in, Present to their Lo<sup>ps</sup> an Address  
from that Colony to his Majesty signed by the  
Governor of Boston, which being read the Agents produce  
a. Commission from the Massachusetts, in pursuance of an  
Order of Council dated the 20<sup>th</sup> of Sept<sup>r</sup> last, which being  
read, Their Lo<sup>ps</sup> take notice that the Agents are thereby  
impowred jointly and not severally to attend His Majesty in  
the Regulation of that Government.

✓ Whereupon M<sup>r</sup> Randolph is called in who being lately  
arrived from New England informs their Lo<sup>ps</sup>  
that it had been resolved by the Council there  
that they would defend their Charter by Law, in  
case His Ma<sup>y</sup> should think fit to bring a Quo Warranto  
against it and that they would not make any Surrender to  
His Ma<sup>y</sup> nor intrust their Agents with such Powers as were  
required from them.

M<sup>r</sup> Randolph  
says,  
the Massachusetts  
are resolved to  
defend their  
Charter.

M<sup>r</sup>

Articles against  
y<sup>e</sup> Massachusetts.

M<sup>r</sup> Randolph does alsoe present a paper of Articles against the Massachusets which are read, setting forth

1. First that they execute y<sup>e</sup> Powers of their Charter otherwise and in other places than directed.
2. That they make and exercise Laws repugnant to the Laws of England.
3. That they levy mony upon His Ma<sup>y</sup>'s subjects not free of the Company.
4. That they impose an Oath of fidelity, to themselves, upon all Inhabitants among them.
5. That they refuse His Ma<sup>y</sup>'s subjects the benefit of Tryal by Jurys in Civil Causes, Nor will they take Depositions in matters relating to their Government, And that they deny to deliver Copies of Records in Appeals before His Ma<sup>y</sup>

6<sup>th</sup> They discountenance the Acts of Trade and Navigation and refuse to publish the Statute of the 14<sup>th</sup> of the King for preventing of frauds, and the Statute of the 25<sup>th</sup> of the King for securing the Plantation-Trade, as alsoe His Ma<sup>y</sup>'s Proclamation for observation of the Acts of Trade in the Plantations. That they refuse to admit Appeals to His Majesty in Council in matters relating to the Customs.

That they imprison His Ma<sup>y</sup>'s Officers for doing their duty, not allowing them to plead the general Issue according to the 14<sup>th</sup> of the King.

That they have set up a Naval Office in opposition to His Ma<sup>y</sup>'s Commission.

That they impose Ten pounds for every special Court in Tryals relating to his Ma<sup>y</sup>'s Customs.

7<sup>y</sup> They impose Custom upon all Commodities from England and His Ma<sup>y</sup>'s Plantations.

8<sup>y</sup> That they have opposed four of His Majesty's Commissions under the Great Seal not permitting them to be executed. And have proclaimed That the General Court is the Supreme Judicature of that Province, and that the Commissioners (appointed by His Majesty in the year 1664) pretending to hear Appeals is a breach of their Privileges. That they received w<sup>th</sup> exceeding great civility Goff and Whaley, two of the Murtherers of His late Ma<sup>y</sup>, one of whom declared among them that if what hee had done against the King were yet to be done, hee would doe it again.

9<sup>thly</sup> That they have not administered the Oaths of Allegiance and Supremacy to the King's subjects there.

10<sup>y</sup> They have erected a Court of Admiralty.

11<sup>y</sup> They deny the Sacraments to all who are not of their Congregational way, and doe not admit them to any Publick Trust.

12<sup>y</sup> That they Coin Money.

The Agents want  
power to consent  
to a Regulation.

Whereupon their Lo<sup>ps</sup>, finding the Agents not duly impowred by their Commission to consent to such regulation of their Government as shall be thought fit according to His Ma<sup>y</sup>'s directions, Doe agree to Report that

A Quo Warranto  
to be brought.

M<sup>r</sup> Attorney be Ordered to bring a Quo Warranto against the Privileges of their Charter, And that such Papers and Evidencies as shall be needful in this Case be sent to M<sup>r</sup> Attorney for his better information therein.

Mr Attorney to  
be informed.

The Agents on behalf of the Lord Baltimore and M<sup>r</sup> Pen  
are

are called in and Council learned being heard on both sides,  
the Question is stated between them, viz, Whether  
in the year 1632 [*sic*] the Dutch were possessed  
of the Lands claimed by M<sup>r</sup> Pen, w<sup>ch</sup> M<sup>r</sup> Pen's  
Agent undertakes to prove in a short time.  
And their Lo<sup>ps</sup> will then take this matter into further  
consideration.

The Question  
stated.  
Whether ye  
Dutch were  
possessed in  
1632 [*sic*].

REPORT FOR A QUO WARRANTO AGAINST MASSACHUSETTS.

*Massachusetts Archives*, Vol. CVI. p. 298.

At the Court at Hampton Court the 13<sup>th</sup> of June 1683. By  
the Kings most Exc<sup>t</sup> Ma<sup>y</sup> and the Lords of His Ma<sup>ty</sup>  
most Hono<sup>ble</sup> Privy Council.

The Right Hon<sup>ble</sup> the Lords of y<sup>e</sup> Committee for Trade @  
fforeign Plantations having this day presented to the Board  
a Report in y<sup>e</sup> words following, viz:  
May it please yo<sup>r</sup> Ma<sup>ty</sup> &c.

Which having been read @ considered at y<sup>e</sup> Board His  
Ma<sup>y</sup> was pleased to approve thereof and did order that  
S<sup>r</sup> Robert Sawyer Kn<sup>t</sup> His Ma<sup>ty</sup> Attorney General doe  
forthwith bring a Quo Warranto against the said Gov<sup>r</sup> and  
Comp<sup>s</sup> of the Massachusetts Bay for the abuses of their  
Charter as is advised in the said Report. And for the more  
effectual prosecution thereof M<sup>r</sup> Randolph is hereby required  
to attend His Ma<sup>ty</sup> said Attorney with such Articles, Wit-  
nesses and proofs, as hee is able to produce against the said  
Government

JOHN NICHOLAS.

RANDOLPH'S

## RANDOLPH'S COMPLAINT.

*Massachusetts Archives*, Vol. CVI. p. 294. 13 June 1683.<sup>18</sup>

To the Kings most excellent Maj<sup>ty</sup>

The humble petition of E. Randolph Collector of y<sup>r</sup> Ma<sup>ty</sup>  
Collony in N. Eng<sup>d</sup>

Sheweth that y<sup>r</sup> pet<sup>r</sup> for about 7 yeares last past in his attending y<sup>r</sup> Ma<sup>ty</sup> Service in N. Eng<sup>d</sup> hath with great charge & expence encountered many difficultyes & hazards in order to bring y<sup>r</sup> Goum<sup>t</sup> of Boston to a due regulation & conformity to y<sup>r</sup> Ma<sup>ties</sup> lawes and authority which notwithstanding all y<sup>r</sup> Ma<sup>ties</sup> Commands Contained in y<sup>r</sup> severall Royall letters they have continually neglected:

That the 20<sup>th</sup> of Sep<sup>r</sup> last past y<sup>r</sup> Ma<sup>ty</sup> was pleased to order in Councill their Agents forthwith to procure sufficient Commission & full power to agree upon y<sup>e</sup> regulation of that Gouvern<sup>t</sup> & in case of neglect or failure in the particulars therein mentioned y<sup>r</sup> Ma<sup>ty</sup> would cause a Writt of Quo Warr<sup>to</sup> to be brought ag<sup>t</sup> their Charter and y<sup>e</sup> said pet<sup>r</sup> was also directed to come over into Eng<sup>d</sup> to attend y<sup>r</sup> Ma<sup>ties</sup> service in the said regulation or to prosecute y<sup>e</sup> sd Q. War<sup>t</sup> in case y<sup>e</sup> said Agents should not procure full power as was directed.

that y<sup>e</sup> Gou<sup>t</sup> of Boston not complying with the signification of y<sup>r</sup> Ma<sup>ties</sup> pleasure contained in y<sup>e</sup> sd. order y<sup>r</sup> Ma<sup>ty</sup> was pleased to direct a Quo War<sup>t</sup> to be brought ag<sup>t</sup> their charter and y<sup>r</sup> Pet<sup>r</sup> was ordered to attend M<sup>r</sup> Attorney Gen<sup>l</sup> with such Articles witnesses & proofes as hee could produce ag<sup>t</sup> y<sup>e</sup> sd Gou<sup>t</sup>

Now

<sup>18</sup> Not dated but entered as of 13 June, 1683.

Now for as much as y<sup>e</sup> sd Pet<sup>r</sup> at his own charge hath brought over witnesses from N. E. & procured full proofes to make out the severall charges contained in certain Articles of high Misdemeanour exhibited ag<sup>t</sup> y<sup>e</sup> sd Gou<sup>r</sup> & hath likewise solicited & obtained a Quo Warr<sup>o</sup> now ready to be executed against the said Charter

y<sup>e</sup> petn<sup>r</sup> therefore humbly prayes that y<sup>e</sup> Ma<sup>y</sup> would be pleased to take into y<sup>e</sup> Royall consideration the great expence & losses by him sustained and to order some necessary allowance whereby hee may be enabled to attend your Ma<sup>y</sup> service in the effectuall prosecution of y<sup>e</sup> said Quo Warr<sup>o</sup>

And etc.

PETITION OF RANDOLPH TO THE KING.

*Massachusetts Archives*, Vol. CVI. p. 296. 13 June, 1683.<sup>10</sup>

To the Kings most Excellent Ma<sup>ty</sup> the humble Petition of  
Edw<sup>d</sup> Randolph.

Sheweth that for preventing the great decay & losse arising to y<sup>e</sup> Ma<sup>ty</sup> Customes & the trade of this Kingdome by the unlawfull trading of the Inhabitants of New Eng<sup>d</sup> your Ma<sup>ty</sup> was pleased in Councill to order & appoint y<sup>e</sup> Petn<sup>r</sup> to be Collector Surveyor & searcher in all the Colonies in that plantation & for the better performing that office hee hath received severall letters of instructions signed by y<sup>e</sup> Comm<sup>r</sup> of y<sup>e</sup> Ma<sup>ty</sup> Customes to putt the Acts of trade & navigation in execution in that country. ffor avoideing all disputes & troubles for the future upon that place under  
colour

<sup>10</sup> Not dated but entered as of 13 June, 1683.

colour of unlimited priveledges granted by Charter or upon any pretended defect in y<sup>r</sup> Petn<sup>r</sup> Authority or upon any [*torn out*] may happen in the managem<sup>t</sup> of y<sup>r</sup> Ma<sup>ties</sup> Customes [*torn out*] petn<sup>r</sup> & his Deputyes may be obstructed in the due execution of their trust,

y<sup>r</sup> Petn<sup>r</sup> humbly prayes y<sup>r</sup> Ma<sup>ties</sup> to take the premisses into y<sup>r</sup> Royall Consideration and by Commission under the great Seale of Eng<sup>d</sup> to authorize & enable him to putt in execution the said Articles of Instructions pursuant to the Acts of Trade & Navigation. And to performe the office of Collector etc: And also to take & receive such usuall ffes & perquisites upon the shipping trading in those Colonies as are paid to the custome officers in y<sup>r</sup> Ma<sup>ties</sup> other Plantations for and towards the defraying such incident charges as will arise upon the execution of this place

[*Endorsed*] To the right Hon<sup>ble</sup> the Lords of the Treasury.

Your Lord<sup>ships</sup> are desired to consider what inconvenience will arise upon granting the Petn<sup>r</sup> such authority & powers as are prayed in this petition & to report accordingly

P. LLOYD.

PET<sup>r</sup> OF M<sup>r</sup> RANDOLPH.

*State Papers, Colonial, Bundle 54 (187), 28 June, 1683.*

Read 17 July 83.

To the King's Most Exc<sup>t</sup> Ma<sup>ty</sup>

The humble Peti<sup>tion</sup> of Edward Randolph in y<sup>e</sup> name of divers Planters & others your Ma<sup>ty</sup>'s loyall Subjects inhabiting the Massachusetts Colony in New England

land That no money may be levied towards the charge of defending y<sup>e</sup> Charter upon such as are will [*sic*] to submit,

Sheweth

That the Gov<sup>r</sup> & Company of the Massachusetts Bay in New England haue for many years levyed great Summs of Mony upon your Ma<sup>ty</sup> Subjects inhabiting that Colony, altho' not ffreemen of their Company w<sup>ch</sup> according to the Opinion of S<sup>r</sup> Robert Sawyer your Ma<sup>ty</sup>'s Attorney Gen<sup>l</sup> is not warranted by their Charter.

That during the time of their late Agents attending your Ma<sup>ty</sup>, there was brought to account att their return home considerable Summes of mony for their Disbursements & Charges in answering the Complaints brought ag<sup>st</sup> them here for Contempt of your Ma<sup>ty</sup> Authority & Oppression of divers of y<sup>r</sup> Ma<sup>ty</sup>'s good Subjects.

That besides two Rates collected thro' the whole Colony for defraying the Expençe of their present Agents, They upon Notice of your Ma<sup>ty</sup>'s Intentions to Order M<sup>r</sup> Attorney Generall to bring a Quo Warranto ag<sup>st</sup> them for their High Crimes and Misdemeanors, Haue att their Gen<sup>l</sup> Court held at Boston in March last laid a Rate of 1000<sup>li</sup> more upon the whole Colony to carry on their Solicitations ag<sup>st</sup> your Ma<sup>ty</sup> Prerogative and the Rights of the Crown: Of all w<sup>ch</sup> Sum<sup>s</sup> the Gov<sup>r</sup> and Company pay not the 8<sup>th</sup> penny, but the greatest part of such expence is born either by Non-freemen or by those who are ready to conform to your Ma<sup>ty</sup>'s Royall Pleasure.

Now forasmuch as your Ma<sup>ty</sup> hath been graciously pleased by your Order in Councill bearing date the 13<sup>th</sup> of this instant



stant June to direct M<sup>r</sup> Attorney Generall to bring a Quo Warranto ag<sup>t</sup> their Charter; for the avoyding of w<sup>ch</sup> it's to be feared Those Magistrates will lay new Taxes upon the people to hinder what is most desired by many of them, w<sup>ch</sup> is their more immediate dependance upon the Crown and Submission to such regulation as your Ma<sup>y</sup> shall please to direct in reference to their governm<sup>t</sup>

It's therefore humbly prayed that your Ma<sup>y</sup>'s Order may be signified to that Corporation that no Mony bee levied on such as are not ffreemen; Nor upon such of the ffreemen who are willing to surrender their Charter, Nor that any Mony issue out of the Publick stock of that Corporation to defray the Expence of defending the ſd Charter, but that all those who are questioned in y<sup>e</sup> Quo Warranto, or shall go about to maintain y<sup>e</sup> Suite against your Ma<sup>y</sup> shall make their defence att their own particular Charge without spending any part of the Publick Stock w<sup>ch</sup> has been already levied upon those who are willing to surrender their Charter unto your Ma<sup>y</sup> as hath been in the like case formerly directed in Councill by the Order hereunto annexed when the Charter of the Neighbouring Colony of Virginia was in y<sup>e</sup> same manner for misdemeanors brought into Question and accordingly vacated by your Ma<sup>y</sup>'s Writt of Quo Warranto.

And your Pet<sup>r</sup> shall ever pray &c.

[*Enclosed*]

8<sup>th</sup> December 1683.

There was this day read att the Board a Peti<sup>ti</sup>on in the name of sundry Adventurers & Planters of the Virginia Plantations complaining, that whereas sundry of them are willing

willing to surrender up their Patent for point of Governm<sup>t</sup> His Ma<sup>y</sup> taking care to preferue every particular man's Interest as hath been required by His Ma<sup>y</sup> And that divers others of the said Company refusing to conform themselves to His Ma<sup>y</sup>'s Pleasure are proceeded against by M<sup>r</sup> Attorney Generall by a Writt of Quo Warranto. That yet they haue lately made this Order in Court that the Charge of their defence shall be born by the publick stock to the prejudice (as is conceived) of those others who are willing to surrender up their Patent Itt was this Day Ordered That all those who are questioned in the said Quo Warranto shall make their defence att their own particular charge without any help or the spending any part of the publick Stock in that Case; And that such as are willing to surrender shall be discharged from all Contribution towards the Expence of the ſd Suite both in their persons and their Goods.

[*Endorsed*]      Petition of  
EDW : RANDOLPH.  
R<sup>c</sup>ed 28 Juny 1683.  
read at Councill July 11. 83.  
Read 17 July 83.

MEMORIAL ADDRESSED TO ARCHBISHOP OF CANTERBURY.

*New England Historical Genealogical Register*, Vol. XXXVII. p. 267, 11 July, 1683.

May it please your Grace

Forasmuch as upon the newes of the Quo Warr<sup>o</sup> against New England some malicious people may be apt to infuse false and seditious insinuations into the minds of the people touching His Majesties Pleasure of the necessary Settlement

of that Country and bringing the people to an imediate dependance upon the Crown.

Its humbly propofed that fome Declaration from his Majesty of their liberties and properties being preferved unto them upon this change of Government whereby the people will be eafily induced to furrender their Charter or to fubmit to fuch regulations and limitations of their Charter as His Majesty fhall prefcribe and that in order hereunto fome perfon may be immediately appointed to carry over fuch Declaration with the Quo Warrt<sup>e</sup> (as hath been formerly done upon vacating the Originall Charter) and that fome fmall Frigott may be ordered to attend that Service.

I am certainly informed that y<sup>e</sup> Maremaid Frigott is fuddenly bound for Barbadoes. It will not bee above a fortnights Sayle out of her way to touch at Bofton and carry over the perfon appointed by His Majesty which will give a great credit to the whole bufinefs.

July 11. 1683.

**RANDOLPH PRESENTS PETITION, &c. ALTERATIONS PROPOSED.**

*State Papers, Colonial, Entry Book, 107, p. 173.*

At the Committee for Trade and Plantations  
In the Council-Chamber at Whitehall  
Tuesday the 17<sup>th</sup> of July 1683.

Present : L<sup>d</sup> Archb<sup>p</sup> of Cant<sup>y</sup>, Lord Prefident, Lord Privy Seal, Lord Chamberlain, Earl of Clarendon, Earl of Chefterfeild, Earl of Peterborow, L<sup>d</sup> B<sup>p</sup> of London, Earl of Aylefbury, Earl of Rochefter, M<sup>r</sup> Chanc<sup>r</sup> of y<sup>e</sup> Excheq<sup>r</sup> S<sup>r</sup> Tho<sup>s</sup> Chicheley.

A

New England. A Petition with other Papers del<sup>d</sup> by M<sup>r</sup> Randolph read, setting forth that the Company of the Massachusetts-Bay in New England levy money Pett of M<sup>r</sup> Randolph. contrary to Law vpon the Inhabitants not Free of the Company; That vpon notice of a Quo Warranto to bee brought against their Charter a rate of One thousand pounds has been laid vpon the Colony to carry on the Sollicitations of their Agents against the Quo Warranto. Wherefore hee prays Prayed that it may bee Ordered. his Majesty's Order may bee signified to the Massachusetts that noe money bee levied vpon the Inhabitants not freemen, nor vpon such freemen as are willing to Surrender their Charter. And that noe That those who are willing to Surrender bee freed from Contribution. money bee issued out of the Publick Stock to defray the Charge of their Defence, but that all those who are questioned in the Quo Warranto or shall goe about to maintain the suit against His Ma<sup>y</sup> shall make their defence at their own particular charge as in the like case was directed in Council when the Charter of Virginia was in the same manner questioned. M<sup>r</sup> Randolph does likewise propose that a Declaration bee issued by His Majesty to that Colony signifying that their Libertys and Propertys shall bee preserved vnto them; That some person may bee appointed to carry over such a Declaration; And that a small frigate Inquiry to bee made what frigate is bound to ye West Indies. be Ordered to attend that Service. Whereupon their Lo<sup>ds</sup> direct enquiry to bee made whether the Mermaid or any other of His Majesty's Frigats bee suddenly bound for the West Indies, for what place, and how soon they may bee ready to fail.

And their Lo<sup>ds</sup> desire M<sup>r</sup> Attorney General to prepare a Declaration

A Declaration to  
bee prepared by  
Mr Attorney sav-  
ing the privat  
Interests of all  
persons, &c.

Declaration signifying His Majesty's Pleasure, that the privat Interests and Propertys of all persons within that Colony shall bee continued and preserved vnto them. Soe that noe man shall receive any prejudice in his Freehold or Estate by the prosecution of their Charter. And that in case that Corporation shall, before the issue of the Quo Warranto, make an entire submission to His Ma<sup>ty</sup>'s Pleasure, His Ma<sup>ty</sup> will then regulate their Charter in such manner as shall bee for His Service and the good of the Colony without any other alterations than such as His Ma<sup>ty</sup> shall find necessary for the better support of the Government there. That if such entire submission bee not agreed on, such as are questioned in the said Quo Warranto are to make their defence at their own particular Charge without spending any part of the Publick Stock, that such as are not Freemen or willing to submit to His Majesty's Pleasure shall bee discharged from all Contribution towards th'expence of the Suit against His Ma<sup>ty</sup> both in their persons & in their Goods.

Mr Attorney to  
bee informed.

Their Lo<sup>ps</sup> likewise order that M<sup>r</sup> Attorney bee attended with such Books and Papers as relate to this matter or to former proceedings when a Quo Warranto was brought against the Charter of Virginia.

And their Lo<sup>ps</sup> agree to move His Ma<sup>ty</sup> that M<sup>r</sup> Randolph bee ordered to carry the Notification of the Quo Warranto to New England. And that, for the better countenancing him therein, hee may be transported to Boston by the Mermaid or any other Frigat bound to America.

ORDER

ORDER OF COUNCILL FOR RANDOLPH TO CARRY QUO  
WARRANTO.

*State Papers, Colonial, Bundle 54 (48).*

Att the Court att Whitehall  
the 20<sup>th</sup> of July 1683.

Present: The Kings Most Excellent Ma<sup>y</sup>, L<sup>d</sup> Archbp of  
Canterbury, Lord Keeper, Lord President, Lord Privy Seale,  
Duke of Ormond, Duke of Albermarle, Earle of Peterbor-  
row, Earle of Sunderland, Earle of Clarendon, Earle of Bath,  
Earle of Craven, Earle of Alesbury, Earle of Conway, Vis-  
count Falconberg, Lord Bishop of London, Lord Dartmouth,  
M<sup>r</sup> Chancillour of the Exchequer, M<sup>r</sup> Chancillour of the  
Dutchy.

The Right Hon<sup>ble</sup> the Lords of the Comittee for Trade  
and Forreign Plantations haueing this day presented to the  
Board a Report concerning New England together with the  
Draught of a declaracon from his Ma<sup>y</sup> to the Governour  
and Company of the Massachusetts Bay upon issueing a Quo  
Warranto against the Charter of that Collony: and the said  
report and Decleration being read and Considered att the  
Board, Itt was Ordered as itt is hereby Ordered that M<sup>r</sup>  
Edward Randolph be sent to New England with the Notifi-  
cation of the said Quo Warranto which he is to deliver to  
the said Governour and Company of the Massachusetts Bay:  
And one of his Ma<sup>ties</sup> Principall Sec<sup>rys</sup> of State is likewise  
to prepare the said Decleration for his Ma<sup>ties</sup> Signature; in  
Order to bee sent to new England and dellivered to the  
Governour and Company by the said Edward Randolph as  
aforefaid.

aforesaid. And itt is hereby further Ordered that his Ma<sup>ty</sup> Printers do forthwith print and delliver unto the said Edward Randolph two hundred Copies of the aforesaid Decleration, as allso one hundred Copies of all the proceedings att the Councill Board concerning the Charter of London, w<sup>ch</sup> were printed by Order of his Ma<sup>ty</sup> att this Board to be disperfed by him in New England as he shall think best for his Ma<sup>ty</sup> Service.

PHI LLOYD.

[*Annexed*]

Charles the Second by the Grace of God, King of England, Scotland, France and Ireland, Defender of the faith &c.<sup>t</sup> To all to whom these p<sup>r</sup>sents shall come or may in any wise concerne Greeting. Altho' wee haue thought fit to issue Our Writ of Quo Warranto against the Charter, and priviledges claimed by the Governour and Company of the Massachusetts Bay in New England by reason of some crimes and misdemeanours by them committed, Yet Our Royall Will and pleasure is And Wee doe hereby declare That the private Interests & proprieties of all persons w<sup>thin</sup> that Our Colony shall be continued and p<sup>r</sup>served unto them, so that noe man shall receive any p<sup>r</sup>judice in his freehold or Estate, And that in Case the sayd Corporation of the Massachusetts Bay shall, before further prosecution had upon the sayd Quo Warranto, make a full submission & entire Resignation to Our pleasure, Wee will then regulate their Charter in such manner, as shall be for Our service and y<sup>e</sup> Good of that Our Colony w<sup>thout</sup> any other alterations then such as Wee shall find necessary for the better support of Our Government there, And Wee doe hereby further declare and direct that  
all

all those persons who are questioned in or by the sayd Quo Warranto, and shall goe about to maintain the suite against Us, shall make their defence at their own particular charge, w<sup>th</sup>out any helpe by, or spending any part of the publique stocke of our sayd Colony, And that aswell those that are not free men, as such as are willing to submit to Our pleasure, shall be discharged from all rates, Levyes and contributions, towards the expence of the sayd suite, both in their persons and Estates, And Our further pleasure is That this Our Royall Declaration be published w<sup>th</sup>in Our sayd Colony, that none may p<sup>t</sup>end ignorance hereof. Given und<sup>r</sup> our signet & Royall signe Manuel at Our Court at Whitehall the — day of — in the 35<sup>th</sup> yeare of Our Reigne.

[*Endorsed*]      New England.  
 Order of Councill for  
 M<sup>r</sup> Randolph to carry  
 a Quo Warranto into  
 New England.  
 20 July 83.<sup>17</sup>

RANDOLPH

<sup>17</sup> The Latin Writ is as follows: Carolus S<sup>cd</sup>us, Dej grā Ang<sup>l</sup>, Sco<sup>o</sup>, Fran<sup>c</sup>, & Hibnia Rex, Fidej Defensor, &c, v<sup>l</sup>ibz London, saltē p<sup>ri</sup>cipim & vob q<sup>d</sup> venire fa<sup>c</sup> corā nob a dje in Michi<sup>l</sup> in tres Septim, ubicuncq tunc fuim<sup>l</sup> in Ang<sup>l</sup>, Symon Bradstreet, nup de London, A<sup>r</sup>, Thomā Danforth, de eadē . . . [the names are found in Vol. I. p. 200] . . . ad respondēd nob quo warranto clamat here, utj et gaudere dīles libertat, priuileg et

franches, infra ciuit London, & libtat ejusdē ac in oīibz locis extra ciuit London p<sup>ri</sup>d, infra hoc regn Ang<sup>l</sup>, nec non in qua plu<sup>r</sup> partibz transmar<sup>m</sup>, extra hoc regn Ang<sup>l</sup> unde impetit sunt est heat ibi hoc brē.

I Thoma Jones, Mi<sup>l</sup>, apud Westm, xxvij die Junij, ann<sup>o</sup> regni n<sup>re</sup> xxxv.

See *Massachusetts Records*, Vol. V. p. 420. Also *Massachusetts Archives*, Vol. CVI. p. 301.



## RANDOLPH TO JENKINS PROPOSING TO HAVE A FRIGATE.

*State Papers, Colonial, Bundle 54 (52).*

July 26. 1683.

Right Hon<sup>ble</sup>

I am ordred to Carry to Boston his Ma<sup>ties</sup> Declaration w<sup>th</sup> the Summons of the writt of Quo Warr<sup>to</sup> against the Charter of y<sup>e</sup> Maffachusetts Bay in N: Eng<sup>d</sup> and to come back in Michaelmas term, by which tyme M<sup>r</sup> Attorney Gen<sup>l</sup> hath made that writt returnable.

Now since the Meremaid frigott may be other wise disposed of, and that the Countenance of a frigott vpon y<sup>e</sup> Coast is absolutely necessary for his Ma<sup>ties</sup> Service vpon this occasion to second the Quo Warr<sup>to</sup> in order to procure an intire submission from y<sup>e</sup> Bostoners wherein all the other Colonyes will follow their Examl & the want of a frigott will giue oppertunity to those poeple (who vse all imaginary artifices) to oppose his Ma<sup>ties</sup> Orders & to plead to y<sup>e</sup> Quo Warr<sup>to</sup> which will take vp aboue 12 months tyme before this Charter in that case can be vacated.

It's therefore represented as a thing that will haue very great consequencies in relation to y<sup>e</sup> Kings Govern<sup>mt</sup> in y<sup>e</sup> Plantations & his Ma<sup>ties</sup> reuennue of y<sup>e</sup> Customs here, that some small frigott be ordred to lye vpon y<sup>e</sup> Coasts of N. Eng<sup>d</sup> when y<sup>e</sup> Bostoners shall receiue the newes of the Quo Warr<sup>to</sup> & haue it before them either to make an intire Submission or to evade by tumults or otherwise their obedience to his Ma<sup>ties</sup> this being in some manner a paralell case to that of the late rebellion in Virginnia, where the tymely sending one small ship in his Ma<sup>ties</sup> name with the Signification of his

his pleasure would haue saved no lesse then foure score thousand pounds actually issued out of the exchequer here (tho' too late for that Service) whereas an early care by Such easie methods would haue brought his Ma<sup>ties</sup> Subjects in those parts to a ready Compliance to all his Ma<sup>ties</sup> Commands, as now with Such a Countenanc as is proposed the Bostoners will make their Submission in this favourable conjuncture.

I intreat y<sup>r</sup> Hon<sup>r</sup> to cast your Eye vpon y<sup>e</sup> annexed Copy of a letter I now receiue from N. Eng<sup>d</sup> if they will still go on in opposition to his Ma<sup>ties</sup> Authority now their Agents are attending his Ma<sup>tie</sup> what may be expected vpon their return home vpon notice of the Quo Warr<sup>to</sup>? vnlesse they haue Some Awe vpon them which a fist [first] rate frigott or any vessell vnder his Ma<sup>ties</sup> flag will sufficiently answeare, and demonstrate that the King is now in Earnest & will not suffer his orders to be evaded by them according to their constant practice hitherto.

All which is humbly submitted

ED RANDOLPH.

[*Enclosed*]

Dear Brother

Boston 13 June 1683.

I haue receiued many affronts since my being in the Office you left me, and cannot haue any Justice. I ordered Gatchell to go aboard a Sloop att Marble Head to search her, having Advice of severall Goods hee took in at the Islands of Sholes: The Constable had his staff taken out of his hands; his head broke therew<sup>th</sup> Gatchell was shroadly beaten. I haue seized a Jersey Ship; brought her to a

Tryall; am cast, having appeal'd and protested ag<sup>t</sup> the Court. I haue been very uneasy, but with my Life and ffortune will ever serue His Ma<sup>y</sup> ffor severall Considerations am coming home.

I am Dear Brō

Your truly Lov. Brother BARN<sup>d</sup> RANDOLPH.

[*Addressed*] To the Right Hon<sup>ble</sup> S<sup>r</sup> Lionell Jenkins humbly present

[*Endorsed*] July 26. 83. M<sup>r</sup> Randolph posall of hauing a frigate to appear upon y<sup>e</sup> Coast of New England, when they are served with a *Quo Warranto*.

RANDOLPH TO JENKINS:—NOT DESIROUS TO WAIT FOR A FRIGATE.

*State Papers, Colonial, Bundle 54 (54).*

Right Hon<sup>ble</sup>

Whitehall Aug<sup>d</sup> 3. 1683.

That I may, according to y<sup>r</sup> Hon<sup>rs</sup> commands, giue my reasons why I am not so desirous at present to stay for a frigott in order to my passage for New England, but rather to take the oppertunity of a Merchant man now ready to fayle theither: I humbly beg leaue to remind y<sup>r</sup> Hon<sup>r</sup> that M<sup>r</sup> Attorney Gen<sup>l</sup> hauing some tyme since issued a Quo Warr<sup>to</sup> against the Massachusetts Charter, whereby the same is made returnable Michaelmas Term next, wherevpon I was ordred to carry the fummons of that Writt to New Eng<sup>d</sup> & not hearing at that tyme of any ship bound to those parts in three months, I did conceiue there would be a great deale of tyme lost to stay so long, and that the disaffected party in New Eng<sup>d</sup> would take occasion to misrepresent his Ma<sup>ties</sup> intentions, in Case the notification of his pleasure should arriue

arriue so late, as that it would be made impossible for them to comply with the tyme appointed for the return of y<sup>e</sup> Quo Warr<sup>to</sup> and being therefore informd that the Meremaide frigott was presently bound for y<sup>e</sup> West Indies, I thought it for his Ma<sup>ties</sup> Seruice that shee might be ordred to call in at New Eng<sup>d</sup> & to Carry me theither. But since by M<sup>r</sup> Brifbans report to his Ma<sup>ty</sup> in Councill the Meremaide was to attend other Seruices, and I being then informd that the ship Richard of Boston, hauing taken in her loding for that place, is suddainely falling down to Graues end, I beleieued it more for his Ma<sup>ties</sup> Seruice, that I should take my passage vpon her then to stay for a frigott, To the end the first newes of the Quo Warr<sup>to</sup> might be accompanied with his Ma<sup>ties</sup> Gracious offers to that Colony Since otherwise the poeple will be amused with variety of Reports & Apprehensions (the vsuall artifice of the disaffected party) which will be prevented by my being vpon the Place, and publishing his Ma<sup>ties</sup> Gracious Declaration, which I am ordred to do vpon my first arriuall, and also the late proceedings against the Charter of London, with the Cittyes submission to his Ma<sup>ty</sup> which will invite the poeple to follow the Example of that Citty.

Besides, if it shall so please his Ma<sup>ty</sup> to direct y<sup>e</sup> Comm<sup>r</sup> of y<sup>e</sup> Admiralty that the first frigott bound to y<sup>e</sup> West Indies be ordred to call at Boston and that I may haue a Copy of his Ma<sup>ties</sup> pleasure therein, to shew the Magistrates when I arriue at Boston, It will make as great an impression vpon the poeple, as if a frigott were then present and riding before their doores.

I am further to represent to your Hon<sup>r</sup> That I am now  
informed

informed that his Ma<sup>ties</sup> ship the Rose of Algeeres, is already fitted out & bound for the Bahama Islands, with Orders to call at Boston & stay two or three weekes There, to take in necessaryes for their vndertaking, So that if his Ma<sup>ties</sup> please, I am willing to imbarke vpon this ship the Rose, Or vpon y<sup>e</sup> Merchant man the Richard of Boston, as they shall sayle soonest, there being nothing (as I humbly conceiue) more Conducing to his Ma<sup>ties</sup> Seruice in this busines then a present dispatch, in order to my arriuall at Boston and my return from thence, Which will take away from that poeple all occasion of Complaint, & leaue them no leifure or oppertunity to avoid the regulations which are intended for that Governm<sup>t</sup>

All which is humbly submitted etc.

ED RANDOLPH.

[*Addressed*] To the Right Hon<sup>ble</sup> S<sup>r</sup> Lionell Jenkins his Ma<sup>ties</sup> Principall  
Secretary of State humbly present — RANDOLPH.

[*Endorsed*] 3 Aug<sup>r</sup> 83. M<sup>r</sup> Randolph ab<sup>t</sup>  
a frigate to appear at New England.

GOVE'S INSURRECTION, &c. IN NEW HAMPHIRE. RANDOLPH  
TO HAVE 100 COPIES OF DECLARATION.

*State Papers, Colonial, Entry Book, 107, p. 177, 17 Aug. 1683.*

At the Committee for Trade & Plantations  
In the Council-Chamber at White Hall  
Friday the 17<sup>th</sup> of August 1684 [*for*]

Present: Lord Keeper, Lord Privy Seal, Duke of Ormond, Earl of Bath, Earl of Clarendon, Earl of Craven, M<sup>r</sup> Chanc<sup>r</sup> of y<sup>e</sup> Excheq<sup>r</sup>, M<sup>r</sup> Sec<sup>y</sup> Jenkins.

Two

. . . . .  
 . . . Two letters from M<sup>r</sup> Cranfeild dated the  
 New Hampshire. 20<sup>th</sup> Febr: and 19<sup>th</sup> of June read, whereby their  
 Lo<sup>ps</sup> are informed, That an Insurrection had  
 been made against the Government in New  
 Hampshire by one Gove, who, together with  
 Nine of his Associates had been thereupon con-  
 victed of High Treason, and that Sentence ac-  
 cordingly had been passed against Gove whom  
 hee had sent to bee executed in England, it being not safe  
 to keep him there till hee could receive His Majesty's War-  
 rant, without which hee hath not power by his Commission  
 to punish Offenders by death, that hee recom-  
 mends the other Nine to their Lo<sup>ps</sup> as fit objects  
 of His Majesty's Mercy. Hee further informs their Lo<sup>ps</sup>  
 that hee hath passed an Act in the Assembly  
 there, whereby the Marshal to bee appointed by  
 the Governor hath the sole power of Impannell-  
 ing and returning Jurys.

A Paper of Reasons transmitted by M<sup>r</sup> Cranfeild for sus-  
 pending Major Waldron, M<sup>r</sup> Martin and Capt.  
 Gilman from being of the Council read, wherein  
 hee represents that hee had displaced Major Waldron for  
 Fining and Imprisoning His Ma<sup>ty's</sup> Officers for doing their  
 duty; For saying to Capt. Pearce that notwithstanding the  
 changes hee would stand by him with his life and fortune;

For admitting the Ketch George, whereof the Owners,  
 Master and Mariners were Scotch, to trade in the Province;

For granting Attachments against Law.

That hee had displaced Martin,

For

For refusing to admit Appeals to the King ;

For consenting to admit the Ketch George to Trade in the Province ;

For saying noe Justice could bee had at the Council-Board in England for Strangers ;

For concealing the Plot,

That hee had displaced Capt. Gilman,

For suffering Gove and his party to rendezvous at his house.

Whereupon their Lo<sup>ps</sup> agree to Report that the Reasons The Reasons approved. given by M<sup>r</sup> Cranfeild for having suspended the said Waldron, Martin @ Gilman may have His Ma<sup>ty</sup>'s approbation. And that inasmuch as  $\wedge$  Frier and  $\wedge$  Elliot M<sup>r</sup> Elliot & Frier to succeed them. are represented by M<sup>r</sup> Cranfeild as persons of good Estates and well qualified for that Trust; their Lo<sup>ps</sup> will move His Ma<sup>ty</sup> that y<sup>e</sup> said  $\wedge$  Frier and  $\wedge$  Elliot Gove to bee continued in the Tower. may succeed in their places. Their Lo<sup>ps</sup> will alsoe move, that the said Gove, who is sent over by M<sup>r</sup> Cranfeild to bee executed here may be continued in the Tower.

New England a Frigate to touch at Boston. As alsoe that one of His Ma<sup>ty</sup>'s Frigats that shall bee Ordered to carry my Lord Howard to Virg<sup>a</sup>, or some other ffrigate that shall pass that way bee Ordered to touch at Boston.

And M<sup>r</sup> Cranfeild having desired, in regard of his health, that hee may have leave to bee absent from his Government and reside in some of the Neighboring Colonys, during the Winter Season, their Lo<sup>ps</sup> will move His Ma<sup>ty</sup> that hee may have such leave as is desired by him. New Hampshire M<sup>r</sup> Cranfeild to have leave to bee absent.

Their

Mr Randolph to  
proceed to New  
England.

Their Lo<sup>ps</sup> resolve to move His Ma<sup>ty</sup> that M<sup>r</sup> Randolph may bee ordered to proceed on his Voyage to New England as soon as may bee; And that His Ma<sup>ty</sup>'s Printer bee ordered to deliver to him One hundred of His Majesty's Declarations published concerning the late Conspiracy, to bee disposed of in New England as M<sup>r</sup> Randolph shall think fitt.

Declarations con-  
cerning y<sup>e</sup> late  
Conspiracy to bee  
sent.

EDWARD RANDOLPH'S LETTER TO THE LORDS OF TRADE AND  
PLANTATIONS, GIVING AN ACCOUNT OF THE REBELLION  
IN NEW HAMPHIRE IN 1683.

*Massachusetts Archives*, Vol. III. p. 463.

To the right Hon<sup>ble</sup> the Lords of His Maj<sup>ty</sup> most Hon<sup>ble</sup>  
Priuye Councill, appointed A Committee for trade and  
Plantations:

A Short Narrative of the late Transactions and Rebellion  
in the Province of New Hamphier, in New-England, Hum-  
bly presented by Edward Randolph, Collect<sup>r</sup> of his Maj<sup>ty</sup>  
Customs there:

His Maj<sup>ty</sup> haueing thought fitt to Establish his Royall  
Authority more immediately in New-England, was pleased,  
by his Commission under the Greate Seale, to appoint Ed-  
ward Cranfield, Esq<sup>r</sup>, to be Gou<sup>r</sup> of that Province, who ar-  
riued in New-England upon one of his Maj<sup>ty</sup>'s frigotts, about  
the beginning of October, 1682. — The countenance, with  
his Indulgence to the people, obtained his easy admision  
into the Gover<sup>mt</sup>, in which hee was uery obligeing to all, But  
especially to the late Ruling party; But, withall, made itt his  
busines to putt the ffort, which comāndeth the mouth of the  
Harbour,



Harbour, and militia, into safe hands, and putt good men into places of civill administration; And likewise, provided as well as hee could, during that short time the frigot lay there, for the future quiett and Settlement of that Govern<sup>mt</sup>. Upon the 14th of Nouember following, a Generall Assembly of y<sup>e</sup> Prouince was called, wherein, after severall warme debates, some lawes were made and pass'd by the Gou<sup>r</sup>, and adjourned that assembly till the 9<sup>th</sup> of January following, being at that time unwilling to breake with them, in hopes they would better understand, for the future.

Some time in December following, the Gou<sup>r</sup>, with Maj<sup>r</sup> Walderne, late Presid<sup>t</sup> of the Prouince, M<sup>r</sup> Moody, Minister, and other chiefe men amongst them, goe to Boston, where hee is civilly entertained. But his maine designe in that Journy was, to feele the Temper of that Gouvern<sup>mt</sup>, and the rather, because he found they had such an influence upon the people of this Prouince, that they advised and adherd to them, in the conduct of all their Publick and private affaires, which in a little time begann to discouer itselfe for no sooner had Gou<sup>r</sup> Cranfield openly discoursed with mee, in Boston, about my prosecuting a Seizure made by mee, at Portsmouth, in October last, of a Scotch Vessel, belonging to one Jeffreys a Scotchman, a Church member and Inhabitant of that Prouince, But itt discomposed the whole Party, and it was contriued in their returne home, that I might have noe better success in his Maj<sup>ty</sup> immediate Gouvern<sup>mt</sup>, then in my former tryalls att Boston, to which end M<sup>r</sup> Hammond, candidate for a Magistrate the insueing year in that Colony, and Brō-in-law to M<sup>r</sup> Moody, comes in the Extremitie of bad weather, upon the 19th December, to Portsmouth, (although 2 or 3  
dayes

dayes before hee had declared would not go thither till spring.) Gou<sup>r</sup> Cranfield being returned from Boston, appoints a speciall Court for tryall of the Scotch Vessell and I went to Portsmouth to attend itt; but the Party, belieueing the Gou<sup>r</sup> to be wholly their owne, and one of the Chief of them openly saying, whateuer came out of the Ketch should neuer come into my hands, so contriued the matter, that shee was carried by the ffort out of the River att Pascadaqua in the day time; although Maj<sup>r</sup> Stileman, one of the Counc<sup>ll</sup>, was Comānd<sup>r</sup> of the ffort, had exprefs orders from the Gou<sup>r</sup> to stopp her; whereupon the Gouvern<sup>r</sup> putt him out of all Office, and made Cap<sup>t</sup> Barefoot, one of the present Counc<sup>ll</sup>. Cap<sup>t</sup> of the ffort, and of the foot company, belonging to the Great Island: upon which, the ffort is built. Now the better to cullour this matter, it was presently given out, and by many believed, that the Master and sayl<sup>rs</sup> aboard, without consent or knowledge of the Owner, had runn away with the Ketch, as Jeffreys upon his Oath voluntarily did avouch, taken before the Gou<sup>r</sup>. The Party hoping by this means, to perswaid the Gou<sup>r</sup> to take no further notice of itt, the rather because the frigot was then gon out of the River. But I had certaine aduice that some of Jeffreys' seruants was privately sent out of the way, harboured in a verry obscure place in the Prouince of Maine; upon which, M<sup>r</sup> Martine, by his letter, desired the Justices of the peace there, to send their Constables with a warrant, to bring Jeffreys servants before the Gou<sup>r</sup> to be Examined, what they knew concerning carrying away the Scotch Ketch, they freely confest and deposed that M<sup>r</sup> Jeffreys the Owner, imployed them, and being upon the place, stood by, gaue orders and directions,

when and how the Ketch should be carried away, so that the Gov<sup>t</sup> by this means, finding it out to bee a meere contrivance was resolved not to be soe baffled and advised me to continue my prosecution on his Maj<sup>ties</sup> behalfe, against the Ketch, and all persons concerned in her Escape. The Party now finde no way to avoid the tryall, howeuer, t<sup>is</sup> so ordered that the Jury, in which were 4 leading men, Church members, are prevailed upon, that against cleare proof of the breach of the Acts of trade, they finde against his Maj<sup>ties</sup> I intended to attaint them upon the Statute made in the 23 of Henry VIII, for preuenting perjuries and false verdicts, which so startled them all, that some of the Councill interced on their behalfe, and prayed liberty to amend their verdicts, which being by the Court agreed to, they found for his Maj<sup>ties</sup>, and the Ketch was condemned. January the 9th:— the Assembly being adjourned to that day meete, The Gov<sup>t</sup> recommended to them severall good bills, that had passed the Councill, but instead of their concurrence, they either rejected or putt them in such a disguise, as rendered them altogether useles, and afterwards would not take notice of any bills, which did not arise from themselves, they likewise peremptorily insisted to haue the nomination of Judges and the appointing Courts of Judicature, Powers solely invested in the Gov<sup>t</sup>, by Commission from his Maj<sup>ties</sup>; And lastly, they had prepared bills repugnant to the lawes of England, Upon which the Gov<sup>t</sup>, finding them to act without any regard to his Maj<sup>ties</sup> service, or benefitt of the Prouince, after hee had passed some bills, not knowing where these matters would end, desolved the Assembly. In a short time after, one Edward Goue, who served for the  
Towne

Towne of Hampton, a leading man, and a great stickler in the Late proceedings of th' Assembly, made itt his busines to stirr the people up to Rebellion, by giueing out that the Gov<sup>r</sup>, as Vice Admirall, acted by his Royall Highness' Comission, who was a Papist, and would bring Popery in amongst them, that the Gov<sup>r</sup> was a pretended Gov<sup>r</sup> and his Comission was signed in Scotland, hee endeauored with a great deale of paines, to make a party, and solicited many of the considerable persons in each Towne to joyne with him, to recouer their libertys, infringed by his Maj<sup>ty</sup> placing a Gov<sup>r</sup> ouer them, further adding that his sword was drawne, and hee would not lay it downe till hee knew who should hold the Govm<sup>t</sup>: this hee discoursed att Portsmouth, to M<sup>r</sup> Martin, Treas<sup>r</sup>, and soone after to Cap<sup>t</sup> Hull, att Dover, which they discouered to the Gover<sup>r</sup>, who immediately dispatched away messengers with Warrants to the Constables of Hampton and Exeter, to aprehend Goue,—and fearing hee might gett a Party too strong for the Civill power, (as indeed it proued, for Justice Wyre and a Marshall and Constable was repulsed) The Gou<sup>r</sup> (altho much diswaded) forthwith ordered the Militia of the whole Prouince to be in Armes, and understanding by the Marshall that Goue could not be apprehended att Hampton, by himselfe, and a Constable, But was gonn to his Party att Exeter, from whence hee suddainly returned with 12 men, belonging to that town, mounted and armd with swords, pistolls and Gunns, a Trumpett Sounding, and Goue with his sword drawne, rideing in Hampton att the head of them was takeing horse, and with a part of the Troop intended to take Goue and his Company, But the Gov<sup>r</sup> was preuented by a messenger from Hampton, who brought

brought word that they were mett withal and taken by the militia of that Towne, and secured with a guard ; the Trumpetter forcing his way, escaped, after whome a huye and crye was sent to all parts, but as yett he is not taken. This rising was unexpectedly to the Party made up on the 27<sup>th</sup> day of January last. Its generally believed, many considerable persons, at whose houses Goue then either sent or called to come out and stand up for their libertys, would have joyned with him, had hee not discovered his designs or appeared in Arms at that time, For upon the 30 day of January, being appointed by the Gov<sup>r</sup> a day of Publick humiliation, they designed to cut off the Gov<sup>r</sup>, M<sup>r</sup> Mason, and some others whom they affected not. The Gov<sup>r</sup> sent a Strong party [of] horse to guard the Prisoner, then in Irons, from Hampton to Portsmouth. They were brought and examined before the Gov<sup>r</sup> and Councill, where Goue behaved himselfe, uery insolently; they were all committed to Custody, and Cap<sup>t</sup> Barefoote, haueing the trained Band of Greate Island then in armes, was ordered to take care of the Prisoners and keepe a Strickt watch upon them, in regard the Prison was out of repaire. All this while the Gov<sup>r</sup> was att greate charge and expence in suppressing this Rebellion, and keepeing up guards, to secure the peace of y<sup>e</sup> Prouince, hee therefore, Judged itt necessary to bring them to a speedy tryall, and to that end directs a Comission of Oyer and Terminer to Richard Walderne, Thomas Daniel and William Vaughan, Esq<sup>r</sup>., for their tryall, to bee had upon y<sup>e</sup> first day of ffebruary last, att which time Goue and th' other prisoners were brought to the Court, then holden att Portsmouth, in the said Prouince, the Grand Jury found the bill, the next day they were all  
araigned

arraigned and indited upon the 13 of the King, for Leuying warr against his Maj<sup>tie</sup>. Goue pleaded to the Inditment, Not Guilty; then M<sup>r</sup> Martine, Treas<sup>r</sup> of the Prouince, and Cap<sup>t</sup> Hull, both of Portsmouth, with two Justices of the peace and a Lieft<sup>nt</sup> of y<sup>e</sup> ffoot company att Hampton, who was att the takeing of them, were all sworne in Court; then Goue owned the matter of ffact, and to justifie his takeing up of Armes, pleaded against the Gou<sup>rn</sup> Power, that he was only a pretended Gov<sup>r</sup>, by reason that his Comission, as he said, was sealed in Scotland, likewise that the Gov<sup>r</sup> had by his Proclamation, appointed the 30: day Janu<sup>r</sup> to be annu-ally obserued and kept a day of Humiliation, and obliged the ministers to Preach that day, that the Gov<sup>r</sup> had att his house discoursed to Goue and shewed him out of the 10<sup>th</sup> chap<sup>r</sup> of ·S<sup>t</sup> Mark, the necessity of children's Baptisme, this hee urged to bee a great imposing upon the Ministry. Th' other Prisoners pleaded not guilty, But had little to say in deffence for themselues, further than they were drawne in by Goue. The Jury, after long confideration, found Goue guilty of high treason upon the Indictment, and all the Rest in Armes; upon which the Court proceeded to giue Judgment, and past the sentence of condemnation upon Goue, But in regard th' other Prisoners were specially found, the Gov<sup>r</sup> orderd the Court to respite their Judgment till his Maj<sup>ties</sup> pleasure should bee knowne therein, most of them being young men and altogether unaquaintd with the lawes of England. Herewith I humbly present your Lord<sup>ships</sup> a particular account of their tryall, signed by Richard Walderne, Esq<sup>r</sup> Judge of that Court and past under the seale of the Prouince.

RANDOLPH

RANDOLPH TO SIR ROBERT SOUTHWELL.

*Collection of the late Sir Thomas Phillipps, Bart.*Whitehall Aug<sup>r</sup> 19<sup>th</sup> 1683.Hon<sup>d</sup> S<sup>r</sup>

Since mine to you of y<sup>e</sup> 28<sup>th</sup> last the Rose frigott of 20 gunns. an Algereen prize is fitted out to sea. and bound to the Spanish wreck off the Bahama Islands. under the conduct of one Phips a New England man who upon his late successfull returnes in that undertaking is intrusted by his Ma<sup>ty</sup> & commissionated for the whole busines. He is to call at Boston to take in his diving Tubbs & other necessaryes & to return to Eng<sup>d</sup> to account for & share the purchase. upon which ship I am now directed to take my passage. The Boston agents are in the Downes & stay till our ship now at Deptford falls down: being obliged to stay there by order in Councill till I am ready to sayle which gives me a Credit. & but needful for by those who come now from thence as also by my letters I have great reason to beleive the party there had more then hints of the horrid Conspreacy lately described. for. at my coming away they were very calme. but since high & daring in words & actions. hoping the Lord would worke a great deliverance for his people: as they usually cant. I hope to be with them in Oct<sup>ber</sup> the session of their Gen<sup>l</sup> Court. Twill startle them to find such a round turn: and if they do not comply in all Duty they will make themselves for ever after incapable of the blessings offered in his Ma<sup>ty</sup> Declaration to them which will be sent you from y<sup>e</sup> Plantation Office.

I have spent some tyme with M<sup>r</sup> Dudley one of their present

ent Agents Endeavouring to accomodate things for their future settlment as by the inclosed paper. which wee have agreed wheither upon designe (as the former Agents) to gett leave to go home I know not. but we think it is. That all this is very necessary on his Ma<sup>t</sup> behalfe to be putt in practice there. As to the way of settling the cheife power. I certainly beleive nothing can be so wholsome for the whole plantation as to have one Gen<sup>l</sup> Gov<sup>r</sup> a sober discreet Gent<sup>l</sup>. to be sent from his Ma<sup>t</sup> and to have a Councill chose out of the Magistrates of all the Colonyes & provinces. in all not consisting above 25. to be like the house of Lords to heare all appeals from inferior Courts. & to assigne places & persons to try causes arising betwixt Colony & Colony & Inhabitants of Different Colonyes. I remember it has been often proposed that 5 or 7 persons were commissiionated to manage the whole country and these to be nominated & sent over by his Ma<sup>t</sup> & at his charge. I believe twould be very difficult to gett a salary for two fitt persons to be Joind in Commis- sion with one upon y<sup>e</sup> place & except they had a plentiful allowance good men would not undertake that service. if to expect it from y<sup>e</sup> revenew which may arise upon the place it would seem grievous to them to maintaine their Gov<sup>r</sup> & followers at such rates as are just necessary for their handsome support: besides in a short tyme the power at first distributed to severall would soon centre in one person. as now in y<sup>e</sup> Treasury and Admiralty. I believe a Gen<sup>l</sup> Gov<sup>r</sup> would be very gratefull to all sober persons and in regard they are extended a great distance upon the sea & so cannot without great trouble repaire to Boston the cheife residence. twere very necessary. That two Deputy Gov<sup>r</sup>s were appointed & the



the plantation devided as the two Ridings in Yorkshire. We daily experience the difficulty of dispatch. by multiplying addressees to the offices managed by Comm<sup>r</sup>. I am now entring upon my forth voyage for New Eng<sup>d</sup> where in all my tranfactions I have plainly demonstrated that I have cheifly aimed at his Ma<sup>ty</sup> service having omitted all advantages & proposalls to gratify my private affaires. I am now out of purse above 300<sup>l</sup> in prosecuting seizures made & followed with great hazard & charge and altho I have to this day received nothing towards it. but my travelling charges which every Gent<sup>l</sup>. passes in his stewards or other servants account. yet I have still suppressed everything relating to myself in hopes at last to find a just reward of all my undertakings. I have now 4 daughters living. It may please God so to order it that I may by sea. or other accident be taken away. Twould be but justice that my commission might be managed by my brother who now goes over with me: & that my children thereby might receive the benefitt of it. besides I have discovered a tract of land granted to & a long tyme in y<sup>e</sup> possession of Hugh Peters. Since disposed of by his Agent: Tis worth 2 or 3 hundred pounds. Tis forfeited by his treason to the King & the Grant of it would be a kindness to my children. The dayly objects of pitty. I meet with at Court of such whose relations have spent in his Ma<sup>ty</sup> service their lives & fortunes. obliges me for my childrens sake to engage my freinds in their behalf in case of any accident befalling me. I therefore humbly represent such a condition to y<sup>e</sup> care of my few freinds in which number I have always reason to reckon you. but God send me well home I intend to waite upon you at King Weston. to make my sincere acknowledg<sup>mt</sup>

knowledg<sup>m</sup> for all your exceeding favors to me being thereby  
ever obliged to remain in all thankfulnes  
your most humble Ser<sup>m</sup>

ED. RANDOLPH.

To S<sup>r</sup> Robert Southwell.

S<sup>r</sup>

Whitehall Aug<sup>t</sup> 19. 1683.

I heartily thank you for the entertainment you give me  
by yrs of Astrop the 15<sup>th</sup> instant: my tyme is now so short  
that I cannot now enter upon a perticuler answear to your  
discourfe. but I shall refer that till my returne. and then  
shall effectually answear you in a collection of such varietyes  
as my intrest & the shortnes of my stay there can procure  
neither shall I be unmindfull to engage M<sup>r</sup> Cranfield &  
M<sup>r</sup> Mason to assist in such a gratefull service. that I may  
alwayes approve myself S<sup>r</sup>

your humble Serv<sup>t</sup>

My humble Services to  
y<sup>e</sup> Layes. your sisters

ED. RANDOLPH

To M<sup>r</sup> Southwell

(With superscription) To Edward Southwell Esq  
att Astrop neer  
Banbury

EDWARD RANDOLPH TO THOMAS HINCKLEY.

*Hinckley Papers*, Vol. I. p. 49, in Boston Public Library.

Boston in N. Engd. Oct 29. 1683

Sir,—I am very glad I can advise you that, God be  
thanked, I arrived here fryday last: I have brought you no  
VOL. III. — 34 letters,

letters, because you would not intrust me with any to Mr. Blathwait: neither I believe, has your agent, Jacob Jeffon. I have not, however, failed to do your Colony all the service you made me capable of: which I referr till meeting, & hope you will not fayle to send me positive word when you will be in Boston. By the enclosed papers you will see what tranfactions have been in England, & how far his maj<sup>ty</sup> is resolved to deal with this Colony. It therefore stands you in hand to be very carefull to improve the present opportunity; for, be confident, what regulation is made here will passe through all New England. I was no way wanting with Mr. Blathwait in your behalfe. he is very full of great businefs, & cannot but with great difficulty be spoaken with. he was putting me upon your businefs: but by some accident, either the copy of your Grant sent over by Gov<sup>r</sup> Winslow is mislaid, or quite lost; for, after a long searck, it could not be found; so that I could not make one step about it. I am directed to write to you for another attested copy of your Grant, or Grants; and have verball instructions for a petition to his Maj<sup>ty</sup> from your Gover<sup>mt</sup>, & how you must make your further applications for a settlement of your Colony: If you neglect this present opportunity, you may be concluded without any hopes of a revocation. My stay here will be not above 3 weeks. This Gen<sup>l</sup> Court sat onely long enough to bid their Agents welcome from Engl<sup>d</sup>, and then dissolved; but upon my coming, they now instantly call another court: You may very well be informed of Mr. Blathwait's station & businefs by Major Dudley; and then you will be sensible of your mistakes, & the better advised for this present. I shall stay in England 4 or 5 months: I must  
have

have 2 hours' discourse with you. I know not whither I shall have tyme to go to Road Island, where I am very much wanted upon several accounts. I believe the court will fitt some tyme next week at farthest: that is, about y<sup>e</sup> 10th of November. Excuse my hast, for, I am going to New Hampshire; & have onely to add, that I am ready to doe your Colony all friendly offices, and, am, S<sup>r</sup>

Your assured friend & serv.

ED. RANDOLPH.

My service to Mr. Lathrop

This letter contains onely the hints of such things as you [and] I must discourse: therefore let me see it with you.

[*Endorsed*] "To Thomas Hinckley Esq.  
Gov<sup>r</sup> of the Colony of New Plymouth deliver."

EDWARD RANDOLPH TO THOMAS HINCKLEY.

*Hinckley Papers*, Vol. I. p. 51, in Boston Public Library.

Nober 24th. 1683

To Thomas Hinckley Esq. Gov<sup>r</sup> of New Plymouth Colony  
deliver.

Sir, — I am not a little concerned to find that not onely the complaint That the Quakers in y<sup>r</sup> Colony are whipped and fined for not marrying according to your Law, but that you have countenanced the late arbitrary and till now unheard-of proceedings against Mr. Saffin, by imprisoning him, with other illegall practices; all which will fall very heavy upon you particularly: for, unlesse you had assented, no man durst venture upon such methods: and assure you nothing could

could so much impede the getting out your patent as this. For how will the Lords of his Maj<sup>ty</sup> Councill argue, that if you who have no grant or power to govern (for all you can pretend to by your grant from the Earl of Warwick is onely the soyle in your Colony, and noe colour for Gout): so that you have very much exposed yourselfe. I am now going for England; and would be very glad to be instructed what answear to make when these matters are laid before the lords, & backed with undeniable proofs which will be here made & taken.

S<sup>r</sup>, I write not this out of friendship to Mr. Saffin, — I am sorry that you have given him such advantage against you, — but to assure you that I cannot omit to show my respect to that Colony whereof I am a member; and therefore, in great friendship, advise that you send me down your narrative of the matter, & also empower me, by y<sup>e</sup> seal of the Colony, to appear on your behalf. I would gladly have this matter accommodated; & for the future, let me entreat you not to appear to gratify one party to wrong your own judg<sup>t</sup>, & to give occasion of such reflections as must be made by all impartial men upon your Govern<sup>t</sup>: you may send your papers to Mr. Shrimpton, who will take care to convey them to me, if gone for Eng<sup>d</sup>; but, if you had rather engage Mr. Jeffson, you have your liberty.

I am, S<sup>r</sup> your assured lo. friend and countryman,

ED. RANDOLPH

GILES

GILES RANDOLPH'S COMMISSION AS DEPUTY COLLECTOR.

*Massachusetts Archives*, Vol. LXI. p. 260, 26 November, 1683.

Edward Randolph Esq. Collect<sup>r</sup> Survey<sup>r</sup> and Search<sup>r</sup> of his  
Ma<sup>ties</sup> Customs in New England.

To Giles Randolph Gen<sup>l</sup> Deputy Collect<sup>r</sup> Survy<sup>r</sup> and  
Searcher of his Ma<sup>ties</sup> Customs in all the Colonies, Provinces  
and Islands in New England

Whereas his Ma<sup>ty</sup> by Letters Patents bearing date West-  
mest<sup>r</sup> the 15 day of October in the three and thirtieth yeare  
of his Reigne hath erected an Office of Collect<sup>r</sup> Surveyor  
and Searcher of his Customs in the Colony of new England  
under the managem<sup>t</sup> of the Commissioners of the customs  
in England and by the same letters Patents hath given &  
granted the said office to Edward Randolph Esq<sup>r</sup> to bee  
Executed by himselfe or his sufficient Deputy or Deputyes  
therefore for the more effectuell performance of the powers  
and trusts committed to mee by the said Letters and Patents  
and to the intent that the severall Acts relating to the man-  
agem<sup>t</sup> of his Ma<sup>ties</sup> Customs therein mentioned may bee duely  
executed I the said Edward Randolph Collect<sup>r</sup> etc. doe  
hereby constitute and appoint you the said Giles Randolph  
to bee Deputy Collec<sup>t</sup> Survey<sup>r</sup> and Searcher of his Ma<sup>ties</sup>  
Customs in all the Colonies, Provinces and Islands in new  
England with full power and authority to collect & receive  
all such rates & duties as by the Act for the better securing  
the Plantation trade made in the 25 yeare of his Ma<sup>ties</sup>  
Reigne etc. and to search for European goods imported con-  
trary to the 15. of his reigne etc. & Plantation comodities  
not

not having paid the rate or duties, and to seize such vessels not giving bonds according to the 12 of his Majesty.

and to search & proceed against goods etc.

All Governors, Deputy Govern<sup>ors</sup> Majestrates and officers and persons whatsoever are by the Letters Patents stricktly charged & required to be aiding & assisting to you the said Giles Randolph. And for soe doing this shall be your sufficient Warrant. Given att Boston in New England this 26. November 1683.

ED. RANDOLPH. Coll:

EDWARD RANDOLPH TO INCREASE MATHER.

*Mather Papers*, Vol. V. p. 50, in Boston Public Library.

Boston, Dec. 13<sup>th</sup> 1683.

To the Reuerend Mr. Increase Mather, deliuer.

S<sup>r</sup>, — I found the Gou<sup>r</sup> last night willing that I should carry ouer to Mr. Boyle, one of Mr. Ladd's compasses, which was some tyme since disordered by a storm at sea. I beleiued it had been in the Town House, but hearing it to be in your custody, desire I may haue it deliuered to my brother, the Bearer hereof, that I may dispose of it as designed. I am, S<sup>r</sup>,

your humble ser<sup>t</sup>,

ED. RANDOLPH.

MAGISTRATES

MAGISTRATES OF NEW ENG<sup>d</sup> TO JENKINS: CONCERNING QUO  
WARR<sup>to</sup>*State Papers, Colonial, Bundle 54 (56), 7 Dec. 1683.*

May it please your Hono<sup>r</sup>

It hath been the Greate Unhappinefs of his Maj<sup>ties</sup> Good Subjects of this Colony and particularly of those Employed in the Governm<sup>t</sup> for severall yeares past that Such Complaints and Informations have been given against us to his Maj<sup>ty</sup>, and haue at Length foe prevailed y<sup>t</sup> his Maj<sup>ty</sup> hath ordered a writt of Quo warranto to be Issued against us for the vacating of our Charter and Governm<sup>t</sup> thereupon a Coppie whereof with his Maj<sup>ties</sup> Gracious declaracō referring thereto to all his good Subjects heer have lately been given us by M<sup>r</sup> Randolph and haue by us beene Communicated to a Generall Asseembly conveened for that purpose, wherein the Maj<sup>ty</sup> part of the Magestrates haue for severall weekes declared their opinion and given their Vote to lay themselves at his Maj<sup>ties</sup> feet in an humble Submission and Resignation of them Selves to his Maj<sup>ties</sup> pleasure being not willing to Contend with his Maj<sup>ty</sup> in a Course of Law but by the next opportunity to have dispatched their agents fully Impowred to make our submission according to his Maj<sup>ties</sup> said Declaracō but by no meanes can wee at present obteyne the Consent of the dep<sup>y</sup> Representatives of the people whereby It might become an Act of the Corporacōn, And therefore have agreed to a pow<sup>r</sup> of Attorneyship to save a present Default, in hopes that further time may prevaile to dispatch our agents accordingly.

Wee



Wee humbly beſeech your hono<sup>r</sup> to believe vs when wee ſay that with all ſincerity and Earneſtneſs wee haue endeavoured his Maj<sup>ties</sup> Satisfacōn heerein haveing been by his Maj<sup>ties</sup> Gracious Letters at Severall times, and now at laſt by his ſaid declaraōn fully affured that his Maj<sup>tie</sup> will then regulate our Chart<sup>r</sup> in ſuch manner as ſhall be for his owne Service and the good of thiſ Colony, in w<sup>ch</sup> wee have been alſo perſwaded and Directed by the Gentlemen, who on our behalfe have lately Attended his Maj<sup>ties</sup> Royall Court.

Wee know that the representation of this Iſſue and Imperfect Submiſſion will not be pleaſeing to your hon<sup>r</sup> nor in any wiſe acceptable to his Maj<sup>tie</sup> and yett wee have not dared to preſume to delay the Ship now ready to ſaile in hope to doe more therein at preſent leaſt It ſhould be Imputed to us that wee only deſigne to gaine the time but haue therefore reſolved to doe our duty in giveing yo<sup>r</sup> Hon<sup>r</sup> a plaine and true account heereof and ſhall Earneſtly labour to give the people a better Vnderſtanding before the next ſhip ſaile from hence and ſhall be very joyfull to give yo<sup>r</sup> hon<sup>r</sup> thereby a better account of our ſuccesſs heerin.

Right Hon<sup>ble</sup>

New England Dec<sup>r</sup> 7. (83.

wee are

Yo<sup>r</sup> Hono<sup>r</sup>

moſt ffaithfull & obedient Servants

S<sup>r</sup>, there were others of P. Bulkly S. Bradſtreet Gov<sup>r</sup>  
y<sup>e</sup> Mag<sup>s</sup> Conſenting to a Nat: Saltonſtall W<sup>m</sup> Stoughton  
Submiſſion who haue Bathol: Gedney J: Dudley  
not ſubſcribed, being James Ruſſell W<sup>m</sup> Brown.  
returned home &c. & ſome

by

by reason of remotenes at  
this feason of y<sup>e</sup> year could not attend.

[*Addressed*] This ffor the R<sup>t</sup> Honble  
S<sup>t</sup> Lyonel Jenkins Kn<sup>t</sup> His Ma<sup>ty</sup>  
Principall Secretary of State &c<sup>s</sup>  
Humbly p<sup>r</sup>sent.

[*Endorsed*] New England. 7 Dec.  
Rec 21 febr. 83. p M<sup>r</sup> Randolph,  
(who came at y<sup>t</sup> time).  
The Magistrates about the Quo Warranto brought against them.

RANDOLPH TO JENKINS.

*State Papers, Colonial, Bundle 54 (61).*

Right Hon<sup>ble</sup> Plymouth. febr<sup>y</sup> 14. 1683.

I arriued in Boston vpon y<sup>e</sup> 26 of Oct<sup>ber</sup> late at night and  
found their Gen<sup>l</sup> Court that afternoon broake vp. Their  
Agents sayling out of y<sup>e</sup> Downes before me almost a fort-  
night & arriving y<sup>e</sup> 22 of the same month gaue them notice  
that a Quo Warr<sup>to</sup> was brought against their Charter &  
that they might dayly expect me. the next morning I de-  
liuered y<sup>e</sup> Gou<sup>r</sup> his Ma<sup>ties</sup> Declarations with a letter from  
M<sup>r</sup> Normansell Secundary of y<sup>e</sup> Counter & therein a Copy  
of y<sup>e</sup> Quo Warr<sup>to</sup> The Gen<sup>l</sup> Court was again Summoned  
to meet vpon the 7 of Nöber ffollowing. M<sup>r</sup> Dudley one of  
Their late Agents with y<sup>e</sup> Gou<sup>r</sup> & major part of the Magif-  
trates, nine of y<sup>e</sup> house of Deputyes & as many of their min-  
isters were for an intire submission to the propofalls made  
them in his Ma<sup>ties</sup> Declaration. But Danforth with M<sup>r</sup> Rich-  
ards the other Agent hauing made a strong party in y<sup>e</sup> House  
of Deputyes would not assent but trifle away the tyme, &

after aboue 5 weekes spent they adorne till this 14<sup>th</sup> instant. I heare they haue drawn vp a letter & by this shipping sent it to y<sup>r</sup> Hon<sup>r</sup> onely to gaine more tyme supposing troubles may arise in England & thereby all further prosecution to cease. They haue impowred an Attorney to appeare for them, and are raising money, giuing out that tis to defray the Colonies former charge, but the poeple being highly dissatisfied at their Gen<sup>l</sup> Courts refusall of his Ma<sup>ties</sup> Gracious Declaration, are resolved to take the benefitt of it, and pay no more rates vntill by vacating their Charter they be brought immediately vnder his Ma<sup>ties</sup> Lawes & Gom<sup>ts</sup>. I tooke shipping at Boston y<sup>e</sup> 14<sup>th</sup> of Decem<sup>ber</sup> in hopes to arriue in Eng<sup>d</sup> tyme enough for M<sup>r</sup> Attorney Gen<sup>l</sup> to gett Judgm<sup>t</sup> entred against their charter but I haue been prevented by a tedious & very dangerous passage & our ship by the continuall Stormes made a meer wreck. I haue either lost or damaged all my Goods & necessaryes and am very much indisposed in body, which occasions this rough & hasty discourse. I haue many things to say before your Hon<sup>r</sup> which I referr till I can come vp and remaine in all Duty

y<sup>r</sup> Hon<sup>rs</sup> most humble and

most obedient Seru<sup>t</sup>

EDRANDOLPH.

[*Addressed*] To the Right Hon<sup>rs</sup>  
S<sup>r</sup> Lionell Jenkinns  
his Maj<sup>ties</sup> principall Sec<sup>ry</sup> of State  
Att Whitehall.

[*Endorsed*] New England.  
14 febr. from plym.  
M<sup>r</sup> Randolph ab<sup>t</sup> the  
Quo Warranto.

To

TO THE KINGS MOST EXCELLENT MA<sup>TY</sup>

*State Papers, Colonial, Bundle 54 (273), 29 Feb. 1684.*

A short Narratiue touching the delivery of the writt of Quo Warranto and the Summons thereupon directed to the Govern<sup>r</sup> and Company of the Massachusetts Bay in New England by

EDWARD RANDOLPH.

May it please yo<sup>r</sup> Ma<sup>Ty</sup>

I Landed at Boston in New England the 26<sup>th</sup> of October last, where the Generall Court of that Colony had sate about Three Weekes, but vpon notice given them by their Agents (who Arrived 4 dayes before me) that they might dayly expect me with a writt of Quo Warr<sup>to</sup> against their Charter The Assembly was dissolved Three or four Houres before I Landed.

The next morning I delivered to the Govern<sup>r</sup> yo<sup>r</sup> Ma<sup>Ty</sup> Declaration with the Sumons and Copy of the Quo Warr<sup>to</sup> vpon which the Magistrates were called together and notice was given for the Generall Court to meet vpon the 7<sup>th</sup> of November following. They mett accordingly, and Spent the next day in Private ffasting, The day after I went into the Generall Court and Delivered in open Court the Declaration vnder Yo<sup>r</sup> Ma<sup>Ty</sup> Signe Manuall with Printed Copyes thereof, and also Copyes of the Proceedings against the Charter of London, acquainting them withall that I had already bespoake a Passage for my returne vpon a small Pink then bound for England, in Order to Informe Yo<sup>r</sup> Ma<sup>Ty</sup> of my Proceedings & Delivery of the said Papers, and  
how

how they received the same. After some little Debate the Govern<sup>r</sup> and Eight of the Magistrates (being the Major Part of those then Assembled and Men of the best Estates amongst them) pass'd a Vote for an Intire Submission according to Yo<sup>r</sup> Ma<sup>ty</sup>s Declaration, and Order their Sec<sup>y</sup> to carry it to the house of Deputyes; who having received the same insisted of Returning any Answer thereto Trifle away 9 dayes in Drawing vp an Addresse to yo<sup>r</sup> Ma<sup>ty</sup> to desire longer time for their Answer taking no notice of the Vote sent them by the Govern<sup>r</sup> and Magistrates, looking vpon the same with Reflections as tending to an Alteration in their Government and so directly against their Oath of fidelity to their Country: That they chose rather to have the matter decided by Law, then wrong their Consciences (as they pretended) in parting with any priueledges granted them by their Charter; And to the end they might be still Encouraged to persist in their Standing out, a Letter pretended to be sent from a friend in London, was handed about in the house of Deputyes advising the unhappy and lamentable condition of the Towne of Norwich in England since the surrender of their Charter to yo<sup>r</sup> Ma<sup>ty</sup> as if thereby defrauded from all manner of Priueledges, Encouraging the good people to Stand out and that if occasion required they should be furnished with three or four Thousand Pound to defend their Charter against yo<sup>r</sup> Ma<sup>ty</sup>. ffive weekes and more are spent by this house of Deputyes Consisting now of about fforty Eight Persons, who are for the most Part an inferior Sort of Planters, and nothing done in Answer to what was proposed in yo<sup>r</sup> Ma<sup>ty</sup>s Declaration: at last the Governour and Major Part of the Magistrates, when they Saw they could not prevaile, having  
but

but 9 of the house of Deputyes, and as many of the Cheife of their Ministers (being ffreemen also) who in their Pulpitts as also vpon all occasions press'd the People to a Dutyfull Compliance, Order their Vote to be drawn vp, and after they had all signed it, sent their said Vote to M<sup>r</sup> Sec<sup>y</sup> Jenkins by the Conueniency that brought me over.

But M<sup>r</sup> Danforth Deputy Govern<sup>r</sup> and M<sup>r</sup> Richards one of the late Agents with ffive other Magistrates men of Incon- siderable ffortunes, but of ffactionious spiritts, Joyne with the Major part of the house of Deputyes and Passe a Vote for an Attorney to appear for them, and have accordingly Im- powered M<sup>r</sup> Robert Humphreys of the Inner Temple either to defend their Charter, or to gaine a Confirmation thereof And also to procure yo<sup>r</sup> Ma<sup>ty</sup> Pardon for all former Crimes and Misdemeanors And that money for either of these pur- poses may not be wanting They directed the Treasurer of their Colony to make them a Creditt of Three Thousand Pound in England according to a former Order which had Passed to that effect.

About 7 or 8 dayes before the Generall Assembly broak vp, a libellous Paper was disperf'd in Boston highly reflect- ing vpon yo<sup>r</sup> Ma<sup>ty</sup> Proceedings against that Colony, as di- rectly contrary to yo<sup>r</sup> Ma<sup>ty</sup>s Gracious Letters formerly sent them, and further adding, That the late Declaration relating to the horrid Conspiracy was butt a sham plott &<sup>s</sup> That the Govern<sup>r</sup> Magistrates and Ministers were greivous Back- sliders and betrayers of their Libertyes and Country &<sup>s</sup> It was verily beleived that one Cheefers a young hott headed Minister was the Author of that Paper, not without the  
Privacy

Privacy of some of the Deputyes, and therefore great Endeavours were vsed to gett the matter Smothered.

About the time of my Leaving Boston, after Seaven weekes Stay I left the Body of the People very much discontented Refuseing to pay the Rates which were laid by the last Generall Court and Ordered out of hand to be Collected; The Treasurer also Employed the Officers for that purpose to Sue for and recover all Arrearages of Customes and Imposts, which Imposts were by them Ordered to be Paid till the 10<sup>th</sup> of June next and no Longer. These are Imposts layd vpon all Goods Imported that Colony for which having no Authority in their Charter they have been formerly accused, and would thereby p<sup>r</sup>tend to remoue such matter of Complaint, And they give out that the money last Ordered to be raised, was to clear off Publique Debts Lying vpon the Collony, But the Generallity of the Inhabitants resolve to lay hold on the benefitt of that prohibition lately sent by yo<sup>r</sup> Ma<sup>y</sup> that they should not submitt to such Impositions if yo<sup>r</sup> Ma<sup>y</sup> Gracious Offers were refused. But as to my selfe that nothing might be wanting to hasten & Compleate the Prosecuting the Quo Warr<sup>o</sup> and to take of all hopes of Evasion or further delaying of time on their part I have brought over with me two good Wittnessees to make out the prooffe of what hath been materially objected against them in the mismanagement of their Charter, And humbly beseech yo<sup>r</sup> Ma<sup>y</sup> that the Lords of the Treasury may be directed to Supply mee with money to Pay their Passages, and also to defray the necessary disbursements, which will arise vpon the effectuall soliciting and Prosecuting the Quo Warr<sup>o</sup> against them who have given their  
**Attorney**

Attorney large Power and a full Purse to make their Defence.

All which is humbly Submitted  
by &c.<sup>d</sup>

[*Endorsed*] 29<sup>th</sup> Feb<sup>ry</sup> 1683.

Reference of M<sup>r</sup> Randolph's  
Narrative of Delivery of the  
Quo Warr<sup>to</sup> to the Massachusetts.

Re<sup>d</sup> 11 Mar. 83  
Read y<sup>e</sup> same day.

FROM RANDOLPH, FOR SUPPLY OF MONEY.

*State Papers, Colonial, Bundle 54 (242).*

To the Right Hon<sup>ble</sup> the Lords of the Committee  
for foraine trade & Plantations.

(4 March 1683)

Representation of M<sup>r</sup> Randolph.<sup>14</sup>)

May it please y<sup>r</sup> Lord<sup>sh</sup>ps

In pursuance of an Order in Councill bearing date at Hampton Court the 13<sup>th</sup> of June 1683 directing M<sup>r</sup> Attorney Gen<sup>l</sup> forthwith to bring a Quo Warr<sup>to</sup> against y<sup>e</sup> Gou<sup>r</sup> & Company of y<sup>e</sup> Massachusetts Bay in New Eng<sup>d</sup> for the abuses of their Charter, And for the more effectuell prosecution thereof That M<sup>r</sup> Randolph do attend M<sup>r</sup> Attorney Gen<sup>l</sup> with such Articles Witnes<sup>ses</sup> & proofes as he is able to produce, I haue this day with M<sup>r</sup> Ward Attorney attended M<sup>r</sup> Attorney Gen<sup>l</sup> with divers Articles of high Misdemeanors against the said Gom<sup>l</sup> in order to prepare an Information to be brought in against them the beginning of next tearm,  
And

<sup>14</sup> Different handwriting.



And haue now Witnesſes ready to make out y<sup>e</sup> proofes alledged againſt them in thoſe Articles.

Now in regard there is occaſion of a preſent diſburſement of money to pay the Charges dayly ariſing vpon proſecuting their Charter, & alſo to pay for the paſſages of my witneſſes brought ouer with me from New Eng<sup>d</sup>. & to ſupport them vntill a tryall be had vpon y<sup>e</sup> ſaid Quo Warr<sup>to</sup>

Its humbly deſired that a preſent ſupply of money bee iſſued out of y<sup>e</sup> Treafury to defray the Charges aboue ſaid in order to obtaine a Speedy & effectuall end of this matter ſupported onely by delayes & Euaſions.

All which is humbly ſubmitted

by etc.

EDRANDOLPH.

[*Endorſed*]

Representation of M<sup>r</sup> Randolph.

Read att the Co<sup>m</sup>mittee March 4<sup>th</sup> 8<sup>3</sup>.

# TO THE KINGS MOST EXCELL<sup>t</sup> MA<sup>ty</sup>

*Maſſachuſetts Archives, Vol. CVI. p. 311.*

the Humble peticon of Ed Randolph ſheweth. that y<sup>r</sup> Peti<sup>r</sup> hath for 8 years attended y<sup>r</sup> Ma<sup>ty</sup> ſeruic in y<sup>e</sup> affairs of N. Eng<sup>d</sup> during which tyme he mett with many hazards & dangers both by ſea & land & in ye yeare 1679. ſuffaired great loſſes in his goods & houſehold ſtuff to y<sup>e</sup> Value of 200<sup>lb</sup> & upwards ſhipd. off from hear to N. Eng<sup>d</sup> hauing at the tyme received y<sup>r</sup> Ma<sup>ty</sup> Co<sup>m</sup>māns to Carry 4 Commiſ. vnder y<sup>e</sup> G<sup>r</sup> Seal requireing y<sup>e</sup> Gou<sup>r</sup> of y<sup>e</sup> Seuerall Colonys there to take y<sup>e</sup> oath for y<sup>e</sup> due obſeruing the Act for Encouraging of Trade & encreasing of ſhipping & Navigation made in y<sup>e</sup> 12<sup>th</sup> year of y<sup>r</sup> Ma<sup>ty</sup> Raign and alſo to carry one  
other

other Commission for y<sup>e</sup> Establiſhing y<sup>r</sup> Ma<sup>ty</sup> Gom<sup>t</sup> in ye P : of N. Hamp<sup>t</sup> & now in this his laſt return from N. E : in purſuance of y<sup>r</sup> Ma<sup>ty</sup> Order in Councill bearing date ye 20<sup>th</sup> of July laſt paſt. to giue y<sup>r</sup> Ma<sup>ty</sup> an account of ye delivery of ye writt of 2 : 20 ag<sup>t</sup> ye Boſt<sup>n</sup> Charter. hath by ye Extreimity of ſtormes Loſt all his Goods & neceſſaries aboard y<sup>e</sup> ſhip hee returnd vpon to ye value of 60<sup>l</sup>.

Now for as much as y<sup>r</sup> pet<sup>r</sup> hath not receiued any Conſideration for all his loſſes & Hardſhipps which in 8 tymes paſſing y<sup>e</sup> Seas in this difficult ſeruice he hath been Expoſed to & ſeing it is impoſſibl for any man to vndertak ſo long voyages & paſſe thoſe many dangers as y<sup>r</sup> petn<sup>r</sup> hath done without ſome loſſes or charges which could not be foreſeen or prevented.

Y<sup>r</sup> petn<sup>r</sup> prayes that by your Ma<sup>ty</sup> grace & Bounty hee may receive the ſaid value of 260<sup>l</sup>, without w<sup>ch</sup> y<sup>r</sup> petn<sup>r</sup> is near undone.

PETITION OF EDWARD RANDOLPH TO THE KING.

*Maſſachuſetts Archives*, Vol. CVI. p. 310.

To the Kings moſt Excellent Maſteſty.

The humble petition and appeale of Edward Randolph Collector Surveyor and ſearcher of your Ma<sup>ty</sup> Cuſtomes in New England. Sheweth : that your Pet<sup>r</sup> in purſuance of the Laws of Trade and Naviga<sup>ti</sup>on did in the yeare 1680 at Boſton and at ſeverall other places in New England made diuerſe ſeizures of ſhips and Veſſells amounting to a conſiderable value and did proſecute the ſame in the Courts of Records in that Plantation. That notwithstanding ſufficient proofes

were produced by your petitioner at the Tryalls yet the Juryes (against Law & evidence) did continually find and give damages ag<sup>t</sup> your Ma<sup>tie</sup>: Whereupon no Courts of Appeal being erected in that Plantation, your Pet<sup>r</sup> did in your Ma<sup>ties</sup> name Appeale to your Ma<sup>tie</sup> in Councill and likewise in your Ma<sup>ties</sup> name moved that sufficient security might bee taken by the Court of the severall defendants to answer your Ma<sup>tie</sup> upon a rehearing of the said & alsoe when and where your Ma<sup>tie</sup> shall be graciously pleased to direct & appoint. But your Petitioner was opposed by M<sup>r</sup> Danforth hee alledging that it was an infringement of their liberties granted by Charter, w<sup>ch</sup> is altogether false and groundless So that your pet<sup>r</sup> could not have his appeales entred or allowed of or obtain any security from the said defendants whereby your Ma<sup>tie</sup> is greatly damaged, irregular Trade countenanced to the diminution of your Ma<sup>ties</sup> Customs here in England & vast prejudice of this Kingdome and other your Ma<sup>ties</sup> Dominions for prevention whereof for the future, your Pet<sup>r</sup> most humbly prays that your Ma<sup>tie</sup> would bee pleased to give leave & directions to him to prosecute the said Appeales before your Ma<sup>tie</sup> in Councill and that the Massachusetts may bee directed to answer the Same. And that your Ma<sup>tie</sup> would bee pleased to order the examination of the annexed articles ag<sup>t</sup> the said Danforth for having openly resisted your Ma<sup>ties</sup> authority and seduced your Ma<sup>ties</sup> subjects from their due allegiance to the end that if hee appeare guilty hee may receive the markes of your Ma<sup>ties</sup> displeasure and bee at least removed from such publick offices of trust w<sup>ch</sup> hee hath long exercised in that Government to your Ma<sup>ties</sup> great disservice.

And your Pet<sup>r</sup> (as in duty bound) shall ever pray etc.

EDWARD

EDWARD RANDOLPH TO THOMAS HINCKLEY.

*Hinckley Papers* in Boston Public Library.

Whitehall March y<sup>e</sup> 4<sup>th</sup> 1683

Gov<sup>r</sup>, — I presented your address with the necessary amendments upon y<sup>e</sup> 29th day of Feb. last to his Ma<sup>ty</sup> in Councill; that will be printed. It was graciously received & you will find the benefitt of it in dispatch & settlem<sup>t</sup> of your Colony. When I receive further commands, shall be your ffaithfull & obedient Ser<sup>t</sup> ED. RANDOLPH  
Pray give my hearty respects to Mr. Rawson.

[*Endorsed*] To Gov<sup>r</sup> Hinckley

ABSTRACT OF A LETTER SENT MEE MARCH y<sup>e</sup> 14. 1683  
FROM BOSTON IN NEW ENGLAND (TO M<sup>r</sup> RANDOLPH<sup>19</sup>).

*State Papers, Colonial, Bundle 54 (254).*

By this oppertunity I aduise you that on the 19 of X<sup>ber</sup> Last, the Governour and seuerall of the Magistrates Went to the Castle to see what repaires were necessary to bee done (which was ordered (as is reported) the first oppertunity of weather to bee done). Jan<sup>y</sup> 21: a Towne meeting was held att Boston, to chuse Jury men, at which time M<sup>r</sup> Davy and M<sup>r</sup> Nowell Magistrates, and M<sup>r</sup> Mather and M<sup>r</sup> Allen Minif-  
ters were present in Court, 4 or 5 Jury men were chosen, Then the King's declaration was Published, Nowell stood up and declared, that those which were free to deliuer up  
their

<sup>19</sup> Different handwriting.

their Chart<sup>r</sup> and Right to the Countrey should hold up their hands, One of the nonfreemen stood up, asking whether it did concerne the freemen only, Nowell answered the freemen only, At which the nonfreemen went out of the Court, as they were commanded. And when the freemen were to vote by holding up their hands not one man held up his hand, w<sup>ch</sup> caused one of the freemen to hold up both hands, and with Larg acclamations cryed out, the Lord bee prayfed, not a man held up his hand to the deliueying vp of their Charter. Mather stands up and exhorts the people, telling them how their forefathers did purchasse it, and would they deliuer it up, even as Ahab required Naboth's Vineyard: oh, their Children would be bound to curse them, They might see Examples enough before their Eyes, meaning the Citty of London and their Neighbouring Country of Pascatqua. It is certaine Watertowne and two other Townes on the publishing the Kings Declaration, Unannimously declared for the Kings Govern<sup>t</sup> which is recorded att the Towne house in Boston. It is resolued that upon the 7 day of May next, being the day of their Ellection, there bee a New Gov<sup>t</sup> and new Magistrates, declaring against Gov<sup>t</sup> Bradstreet, M<sup>r</sup> Stoughton, M<sup>r</sup> Dudley, M<sup>r</sup> Bulkly, and one more w<sup>ch</sup> are Enemies to the Countrey. It is resolued their Ellection to be such as to haue Govn<sup>t</sup> and Magistrates to bee Unanimous, and its thought they designe to opose any power from the King. The Indians Eastwards are preparing for a Warr and its said will soone bee in action. Your Brōr Barnard's cause was called to bee tryed the 21: Jan<sup>y</sup> Last, But M<sup>r</sup> Wharton one of his Security non suited them to their sorrow. They goe forward still to gather rates.

About

About Novem<sup>r</sup> Last my Brother Barnard went to seize a Vessell which traded contrary to the Acts of Nauigaõn, and goeing by water, comes up with a boate goeing to giue that Vessell notice of his designe, wherupon to prevent them hee tooke from them their Saile, and gaue the Owners of the boat sattisfaction, but the Partys aboard the boate being relations to the Comãd<sup>r</sup> and concerned in the Vessells Cargo arrested my Brör in 4 Actions, to the vallue of Sixteene hund<sup>d</sup> pounds as hee was coming for England but was bayled by M<sup>r</sup> Wharton and others in Boston.

EDRANDOLPH.

[*Endorsed*]      Extract of a Letter  
from New England  
to M<sup>r</sup> Randolph.  
Rec<sup>d</sup> 30 May 84.

A SHORT ACCOUNT OF PRESENT STATE OF NEW ENGLAND.

*New England Historical Genealogical Register*, Vol. XXXVII. p. 157.

By severall Grants of tracts of Land some from a Great Councill appointed by King James for planting & setling Colonyes in new England others by private grants ffrom y<sup>e</sup> Earl of Warwick in 1643 most of which have a confirmation under y<sup>e</sup> Great Seale in King Charles y<sup>e</sup> first and this King's Reigne. New England is devided into 7 small Colonyes or Governments, at present managed by men of weake & inconsiderable parts: most of them having different Laws & methods of Executing them. They are devided into Presbiterians, independents — Anabaptists — Quakers — Seaventh day men; who are some of them in all Governments.  
Such

Such of the church of Eng<sup>d</sup> th<sup>o</sup> the Cheife men & of good parts not appearing foe till a regulation in Government from hence directed. One chiefe colony is that of Boston, made foe by a continuall concourse of people from all parts they drew a great trade in y<sup>e</sup> world & indeed give Lawes to all the rest; here all is managed by their clergy without whom the Magistrates venture not to act, as in the late Example of this Gov<sup>t</sup> upon receipt of his majesties letter &c. &c. here noe children are baptized but the children of church members: some give a larger latitude & admitt the gran children of church members: others the children of such who own the church & promise to live under their watch. But none in any of the Colonyes are admitted to the Eucharist but are in full communion. All are obliged by one way or other to maintain the Ministry. Some by making Contributions in the meeting houses; anabaptists & Quakers, pay not under that notion but are rated in towne rates which is really for that intent. In Road Island is noe meeting houses built nor children Baptized nor in deed any Government, Juries in civill affaires, not swearing but professing to act according to Evidence & the lawes of the Colony, and according to the directions of their Own Conscience. (Their Lawes are not printed nor known to be other than opportunity or Justice allowes.) In all the Colonys there are by farr more men, women & children unbaptized for y<sup>e</sup> reasons aforefaid. Since my being amongst them of Boston I find them willing to admitt of a minister to baptize & administer the Sacram<sup>t</sup>, which thing ducly Considered, its not in their election.

ffor besides the many forfeitures of their charter (granted by Charles the first) even to this day their settling & acting  
as

as a Gov<sup>t</sup> in new England doth absolutely destroy their charter; for they were by that constituted a body Politick & to act here in Eng<sup>d</sup> (as for some yeares upon y<sup>e</sup> first grant they did) as now the African and Bormodos company doe. All which they now well understand & respect his Maj<sup>ties</sup> will, Exert his Authority there by his Governor: that power upon their staite being solely invested in y<sup>e</sup> King a gov<sup>t</sup> will be well received & have an honorable subsistence from the Country & noe charge to y<sup>e</sup> King. Butt above all its very necessary that his Maj<sup>ties</sup> subjects should not be debarred the use of the sacraments, which onely will be supplied by sending over discreet gentlemen who will find encourag<sup>t</sup> from many by Baptizing, Marriing & Burialls &c. &c. Butt that they may not depend upon uncertaintyes its to be desired that his Maj<sup>ties</sup> in Councill would order a survey of the money gathered in y<sup>e</sup> yeare 1642: by a Patent & now managed by the Hon<sup>ble</sup> M<sup>r</sup> Boyle, Lord Anglicys &c. &c. which did before the fire in London amount to yearly nigh 1000<sup>l</sup> per annum but since to 500 or 600<sup>l</sup>. This is called the stock for Evangelizing Indians. But in truth the money is bestowed upon some in y<sup>e</sup> Magistracy others in y<sup>e</sup> Ministry, rather as pension then any other publick good works proceeding from that charge, Christians becoming heathens, whilst endeavours are pretended to convert y<sup>e</sup> Infidels. Its therefore for rectifying so notorious an errorr humbly pray'd that y<sup>e</sup> Lord Anglycy &c. doe approve of & allow two able Gentlemen at least recommended by my Lord of London to be sent over & to have 100<sup>l</sup> a yeare paid out of that stock, and that M<sup>r</sup> Thomas Graves formerly fellow of the colledge in Cambridge (a man of great Learning & worth) putt out  
because



because he would not publicly disown the Church of Eng<sup>d</sup> be again restored by his Maj<sup>ties</sup> Mandamus & that an Exhibition of 30<sup>£</sup> be yearly paid him (with the Charities of his Maj<sup>ties</sup> Divinity lecturer) out of L<sup>d</sup> Anglice's stock &c.

ED: RANDOLPH.

If it be directed from his Maj<sup>ties</sup> in Councill that none shall pay by rate or otherwise to their Ministers who will not at least baptize their children It will bring many about in remote places where their maintenance doth yearly arise by rate or Composition. As to reducing the Boston Gent<sup>e</sup> to his maj<sup>ties</sup> obedience, a writt of Quo Warr<sup>to</sup> brought over ag<sup>t</sup> them by y<sup>e</sup> Attorney Gen<sup>l</sup> will soon bring them all to a full Complyants; if that will not doe his maj<sup>ties</sup> declaring them to be out of his protection will bring them in with a witness.

EDWARD RANDOLPH TO THE ARCHBISHOP OF CANTERBURY.

*New England Historical Genealogical Register*, Vol. XXXVII. p. 156.  
26 March 1684.

1684: A Generall account granted to y<sup>e</sup> Gov<sup>r</sup> & Company Erected in Engl<sup>d</sup> for Evangelizing Indians in New England.

About y<sup>e</sup> year 1643 letters patent were granted to y<sup>e</sup> L<sup>d</sup> Warwick and other factious Lords as also to Hugh Peters, Goodwin: Oliver Cromwell, Cornelius Holland & other Seditious Commoners: to the number of 18: with power to collect money all over England to dispose of y<sup>e</sup> money accordingly. Great sums of money were collected & imployed by

by commissioners in New England nominated placed & displaced by the said Gov<sup>r</sup> & Company. See the Ordinance of Parliam<sup>t</sup> in Rushworths Collections 1643: Upon his late Maj<sup>ties</sup> Restauration the Patent was renewed with enlargement of powers & some members of the former company kept in. M<sup>r</sup> Boyle being by y<sup>e</sup> late Lord Clarendon made Governor & M<sup>r</sup> Ashurst made Treasurer.

By these Letters Patents the Lord Chancellor for y<sup>e</sup> tyme being has power to inspect & call to account that Gov<sup>r</sup> & Company: who are made accountable from tyme to tyme to his Lordsh<sup>p</sup>: for all their revenues & how employed. As by the letters patents in y<sup>e</sup> Plantation offices does at large appeare.

There was formerly belonging to this Company 800 or 1000*£* per annum as I have been credibly informed: they were wont to send the yearly produce of this estate to New Engl<sup>d</sup> to be disposed of as their trustees there thought fitt & to be accountable to y<sup>e</sup> Gov<sup>r</sup> & company. Great part of this estate as I have been told was in houses, which were burnt down in y<sup>e</sup> fire in London, so that their revenue is les<sup>n</sup>ed above halfe, if not more. Now instead of sending money to N. Engl<sup>d</sup> they draw money yearely from thence where 'tis said they haue aboue 2000*£* at interest. I could never inform myself of any account that has been given of this money, Since his Maj<sup>ties</sup> restauration. The L<sup>d</sup> Chancellor Nottingham intended it but was prevented by the unhappy troubles in Eng<sup>d</sup>. I was ordered to attend his Lord<sup>sh</sup> but was hindered by a suddain voyage to N. Eng<sup>d</sup>. It did in former tymes cost y<sup>e</sup> Company yearly in money & goods above 500*£* to translate into y<sup>e</sup> Indian Language  
some

some of Baxter's pamphlets these are committed to y<sup>e</sup> custody of Rigid Independent ministers under y<sup>e</sup> name of Indian Ministrey & have a yearly salary, they have the disposing these bookes to y<sup>e</sup> Indians, but the whole design tends more to y<sup>e</sup> encouragement of ill ministering then beneficiall to y<sup>e</sup> poor Indians.

It is humbly proposed

That a commission be directed to Examine & inspect y<sup>e</sup> stock & revenue here in England. — That they may be informed how y<sup>e</sup> money drawn from New England is employed here at home.

To know what stock they have in New England to inspect the accounts of their Trustees there and to know in whose hands it now is Lodged. . . .

Names of Gentlemen in New England to be putt into the Commission of Enquiry John fitts Winthrop — Waite Winthrop — Richard Wharton — Samuell Shrimpton — John Usher — Nicholas Paige — Sampson Sheafe — Humphry Lyfcomb — ffancis Brenley — Benjamin Church & Thomas Savage or any 7 to sitt in Boston: power to fend for all persons concerned and their Bookes to administer Oathes &c.

And if the Act for Charitable uses may extend to New England tis here fitt they were likewise imposed to examine and report upon the foundation of Haverard Colledg in Cambridg New England and to call to account M<sup>r</sup> Thomas Danforth now or lately Treasurer of that Colledge and other preceding Treasurers and Trustees for that Colledge

All which is humbly submitted by

E. R.

March

My Lord

March 26 : 1684

I humbly recommend y<sup>r</sup> Grace to speak to M<sup>r</sup> Solicitor Gen<sup>l</sup> about y<sup>e</sup> Patent for Evangelizing Indians some tyme since left with him by your Grace and my L<sup>d</sup> of London to have his opinion upon it. Its questioned by some wheither the Commiffary for inspecting money given for charitable uses may not require an account how that Company have for these many years last past disposed of that publick stock.

I am your Graces most dutyfull serv<sup>t</sup>

ED. RANDOLPH.

His Grace  
Archbishop of Canterbury.

PETITION OF EDWARD RANDOLPH TO THE KING.

*Massachusetts Archives*, Vol. CVI. p. 311.

To the Kings most Excellent Ma<sup>tie</sup> the humble peticon of  
Edw<sup>d</sup>. Randolph Sheweth

That y<sup>r</sup> Petn<sup>t</sup> being by y<sup>r</sup> Ma<sup>ties</sup> speciall command appointed y<sup>r</sup> Ma<sup>ties</sup> Collector in New Eng<sup>d</sup> to inspect & regulate the licentious practises in trade in those parts, hath in perfuance of a Warr<sup>t</sup> granted by y<sup>e</sup> Right hon<sup>ble</sup> the. E: of Danby l<sup>d</sup> high treasurer of Eng<sup>d</sup> receiued feuerall directions & instructions from y<sup>e</sup> Comm<sup>rs</sup> of y<sup>r</sup> Ma<sup>ties</sup> customs for y<sup>e</sup> better management of the trust reposed in y<sup>r</sup> Petn<sup>t</sup>. And in regard that trade is disperfed in townes farr remote from each other as well in other Colonyes as that of y<sup>e</sup> Massachussetts, they haue thought it necessary & haue likewise directed that there be appointed at least one Deputy in euery Colonye for whose fidelity y<sup>r</sup> Petn<sup>t</sup> is to be accountable.

Now

Now for as much as there are fforts & a Castle commodiously feated commanding all ships & vessells trading to the cheifest townes in each Colony & in regard there will be no ffees or profitt arife to y<sup>e</sup> said Deputyes vpon trade whereby they may be encouraged in y<sup>e</sup> discharg of their care & Duty.

Y<sup>e</sup> Petn<sup>r</sup> therefore humbly prayes that y<sup>e</sup> ma<sup>ty</sup> would be graciously pleased to grant commiffions to Such loyall & able Gen<sup>t</sup> inhabiting that Country to haue the command & charge of the f<sup>t</sup> fforts & Castle and also to receiue instructions for preventing irregular trade. And for the better support of Such Commanders & inferior Officers to them belonging And for defraying all incident charges that will arife vpon the due & punctuall obfervation of the Seuerall Acts relating to trade & Navigation. y<sup>e</sup> Petn<sup>r</sup> humbly prayes that y<sup>e</sup> Ma<sup>ty</sup> will be pleased to affigne a Certain yearely Sūm not exceeding 400<sup>l</sup> to be iffued out of the Dutyes & Customs belonging to y<sup>e</sup> Ma<sup>ty</sup> now collected at Boston & other townes in y<sup>e</sup> Ma<sup>ty</sup> Plantation of New Eng<sup>d</sup> for & towards the Satisfiing the said officers & defraying the incident charges. & y<sup>e</sup> Petn<sup>r</sup> fhall ever pray.

TO THE R<sup>t</sup> HON<sup>ble</sup> Y<sup>e</sup> L<sup>ds</sup> OF Y<sup>e</sup> CōMITTEE FOR TRADE & FORRAIGN PLANTATIONS.

*State Papers, Colonial, Bundle 54 (248), 9 Apr. 1684.*

The humble Petition of Edw<sup>d</sup> Randolph  
Sheweth

That yo<sup>r</sup> Lōpps haueing thought your pett<sup>n</sup> Attendance here in England to be Usefull to his Ma<sup>ty</sup> Service, either in the Regulation of y<sup>e</sup> Govenm<sup>t</sup> of Boston, or in profecuteing a  
Quo

Quo warranto against the Charter of the Massachusetts Bay, were pleased by your Lōpps Order of the 30 Sep<sup>r</sup> 1682 herevnto annexed, to Cōmand your Petitioner forthwith to come to England for the purpose abovementioned — That Upon notefication thereof, your Petitioner Imbarqued at Boston vpon the first ship bound from thence for England, and being arrived here, was required by his Ma<sup>ty</sup> Order in Councell dated the 13 day of June 1683, to Attend M<sup>r</sup> Attorney Generall with such Articles, Wittneses, and prooffes, as your Petitioner could produce against the said Government. — That your Petitioner did Exhibit divers Articles of high Misdemeanours, and Solicited a writt of Quo warranto against y<sup>e</sup> Govern<sup>r</sup> and Comp<sup>s</sup> of said Massachusetts Bay; and by another Order of Councell bearing date at Whitehall July the 20<sup>th</sup> your Petitioner was required to carry his Ma<sup>ty</sup> gracious Declaration to y<sup>e</sup> said Governo<sup>r</sup> and Comp<sup>s</sup> together with y<sup>e</sup> writt of Quo warranto and Sumōns thereupon, and allso to return for England to give his Ma<sup>ty</sup> an Account therein — Now forasmuch as your petition<sup>r</sup> (besides the great hazard and danger of two voyages in the winter Season) has in pursuance of your Lōpps said Order expended severall Sumes of Money as by the annexed Account doth appeare, which as yett remaine unpaid

Your Petitioner humbly prayes your Lōpps that he may be forthwith reinburssed those his necessary Charges and Expences for his present support, the better to enable him to attend the ends of his being sent for over, Untill the prosecution of the said writt of Quo warranto be Completed.

Councell

Councill Chamber y<sup>e</sup> 9<sup>th</sup> Apr<sup>n</sup> 1684.

The Right hono<sup>ble</sup> the Lords of the Committee for Trade and Plantations haueing considered the petition with the Accompt annexed, think the same Uery reasonable, and recommend itt to the Right Hono<sup>ble</sup> the Lords Commissioners of his Ma<sup>ty</sup> Treäry for their care therein

WILLIAM BLATHWAYT.

9 April 1684.

M<sup>r</sup> Randolph's pet<sup>n</sup> & Acco<sup>t</sup> allowed  
& referr'd to the Treäry.

An Account of necessary Charges Expended by Edward Randolph in purfuance of an Order from the Right Hono<sup>ble</sup> the Lords of the Com̄ittee of Trade and fforraign Plantations.

For my Charges in Soliciting the Quo warranto and my Expençe in attending on his Ma <sup>ty</sup> in Councill att Hampton Court and at Winfor from y <sup>e</sup> P <sup>m</sup> <sup>o</sup> day of June 1683 till the 6 <sup>th</sup> day of Sep <sup>r</sup> following being 14 weeks	} 18 00 00
For my Charges and Expences in Ireland being forc't into Lymerick by storme	} 5 00 00
For my travelling Charges Upon my last Arrivall in New England, in Visiting the Provinces of New Hampshire and Maine & y <sup>e</sup> Colonies of Road Island & new Plymouth, to carry & disperse his Ma <sup>ty</sup> Declarations, and other Papers committed to my Charge and to receiue two Addressees	} 15 00 00
For my Charges and p <sup>r</sup> sent Expences till the Tryall vpon the Quo Warranto be determined	} 12 00 00
	<u>£50 00 00</u>
	[Endorsed]

[*Endorsed*]

Copy  
M<sup>r</sup> Randolph's Petition &  
Acc<sup>t</sup> allowed & Referrd  
to the Trea<sup>r</sup> the 9<sup>th</sup> of  
Aprill 84.

AFFIDAVIT OF M<sup>r</sup> RANDOLPH AB<sup>t</sup> THE QUO WARRANTO.

*State Papers, Colonial, Bundle 54 (203) ? Apr. 1684.*

Edward Randolph of Boston in N: Eng<sup>d</sup> Esq<sup>r</sup> maketh Oath, That vpon y<sup>e</sup> receite of y<sup>e</sup> Letter from M<sup>r</sup> Richard Normanfell Secondary to y<sup>e</sup> Sheriffs of London bearing date y<sup>e</sup> 9<sup>th</sup> day of July 1683 directed to y<sup>e</sup> Gou<sup>r</sup> & Company of y<sup>e</sup> Massachusetts Bay in N: Eng<sup>d</sup> a duplicate of w<sup>ch</sup> letter Certified vnder y<sup>e</sup> hand of the said M<sup>r</sup> Normanfell with a notification of y<sup>e</sup> writt issuing forth vpon y<sup>e</sup> Quo Warr<sup>o</sup> against their Charter he this dep<sup>t</sup> was ordered to deliuer to y<sup>e</sup> said Gou<sup>r</sup> & Company, And vpon his arriual at Boston in New Eng<sup>d</sup> he this Dep<sup>t</sup> delivered y<sup>e</sup> said letter to Symon Bradstreet Esq<sup>r</sup> Gou<sup>r</sup> of y<sup>e</sup> saide Company who vpon his receiuing y<sup>e</sup> said letter did presently assemble the Councill of y<sup>e</sup> said Company & appointed a meeting of y<sup>e</sup> whole Gen<sup>l</sup> Court of that Colony to be holden at y<sup>e</sup> said town of Boston vpon y<sup>e</sup> 7<sup>th</sup> day of No<sup>ber</sup> then next ensuing to communicate the said letter to them & also to return their answear to y<sup>e</sup> propofalls made them in his Ma<sup>ty</sup> printed Declaration bearing date at Whitehall y<sup>e</sup> 26 day of July 1683 carried also ouer to them by this dep<sup>t</sup> That vpon y<sup>e</sup> meting of y<sup>e</sup> said Gen<sup>l</sup> Court, the said Gou<sup>r</sup> with the Major part of the Magistrates then & there assembled in y<sup>e</sup> said Gen<sup>l</sup> Court hauing spent seuerall dayes in perswading y<sup>e</sup> house of Deputyes to  
submitt



submitt to such regulation in their Charter as should be for his Ma<sup>ty</sup> seruice & y<sup>e</sup> Good of y<sup>e</sup> said Colony as in y<sup>e</sup> said Declaration more at large doth appeare But the said Gou<sup>r</sup> & the said Major part of y<sup>e</sup> Magistrats being ouer voted by the said house of Deputyes did in their letter from Boston aforesaid Directed to S<sup>r</sup> Lionell Jenkins Knight principall Sec<sup>y</sup> of State etc: subscribed by y<sup>e</sup> said Symon Bradstreet Gou<sup>r</sup> & by y<sup>e</sup> said Major part of the said Magistrates which letter this dep<sup>t</sup> hath seen and beleiuēs the subscriptions to be the Handwritings of the said Gou<sup>r</sup> & major part of y<sup>e</sup> said Magistrates then & there assembled. In which said letter they the said Gou<sup>r</sup> & Magistrates do acknowledge y<sup>e</sup> receipt of y<sup>e</sup> said writt from this dep<sup>t</sup> & also that they haue agreed to a power of Attorneyship to saue a present Default in hopes that further tyme may preuaile to dispatch their Agents accordingly And this Dep<sup>t</sup> further sayth that within 3 dayes tyme or thereabouts before this dep<sup>t</sup> did sayle from thence to Eng<sup>d</sup> that the said Gou<sup>r</sup> & Company as this dep<sup>t</sup> was informed did passe a letter of Attorney vnder their Common Seale & sent the same vnto M<sup>r</sup> Robert Humphreyes their former Soliciter to impower him y<sup>e</sup> said Humphreyes to appoint an Attorney to appeare for them the said Gou<sup>r</sup> & Company.

[*Endorſed*]      Affidavit of E: R:  
about y<sup>e</sup> Q: Warr<sup>ts</sup>

**OPINION**

OPINION OF M<sup>r</sup> ATTORNEY G<sup>r</sup>AL TOUCHING THE QUO  
WARRANTO AG<sup>t</sup> N: ENG<sup>d</sup>

*State Papers, Colonial, Bundle 54, (188).*

S<sup>r</sup>

13 May 1684.

I Received y<sup>n</sup> with M<sup>r</sup> Randols letter inclosed. I purposed to waite upon their Lordships this afternoone about that matter but It falls out that there are severall tryalls wherein the King and his Customes are highly concerned w<sup>ch</sup> come on this afternoone w<sup>ch</sup> will necessarily require my Attendance at Westminster all this afternoone and therefore I crave leave to give their Lordships an Accompt of that affaire in Answer to M<sup>r</sup> Randolls letter. The Quo warranto was brought against the present members of the Company, for usurping to bee a body politick and the proceffe directed in the ordinary forme and a letter sent from the Sherifes of London to the Master and members of the Company by M<sup>r</sup> Randall but the letter was not delivered till after the returne of the writ was out. The Sherifes principall objection why he could not returne A summons was because the notice was given after the returne was past. He did also make it a question whether he could take notice of New England being out of his balywick upon Advice with the Kings Councill I conceive the best way to reach them will bee by A Scire facias against the Company to repeale the patent and upon a nihil returned by the sherife of London, A second speciall writ bee directed to M<sup>r</sup> Randall or some other person who shall give them notice in time before the returne of the writ who may make returne thereof,

w<sup>ch</sup> I humbly submit to their Lordships consideration and  
remaine

Your faithfull Servant

R SAWYER

May 13. 1684.

And upon two Nihilis returned by the Sheriff of Middle-  
sex if they do not appear Judgm<sup>t</sup> will be entered ag<sup>t</sup> them.

[*Endorsed*]

13 May 84.

M<sup>r</sup> Attorney Gen<sup>l</sup>s Opinion concern<sup>g</sup> proceed<sup>g</sup>  
upon the Quo Warr<sup>to</sup> ag<sup>t</sup> the Charter of the  
Massachusetts Bay.

[*Addressed*]

For M<sup>r</sup> Wynne at M<sup>r</sup> Secretary  
Godolphins office in Whitehall.

[*Enclosed*]

Copy.

My Lord

May y<sup>e</sup> 2<sup>d</sup> 1684.

Yesterday M<sup>r</sup> Ward One of y<sup>e</sup> Clerkes of the Crowne  
Office who was employed to draw the writt of Quo Warranto  
against the Charter of Boston informed M<sup>r</sup> Atturney Gen<sup>l</sup>  
that he had pursued the method in the former writt and not  
brought it against the Governour and Company as by Char-  
ter is directed So that after all I fear 'twill not answere the  
end; besides y<sup>e</sup> Sheriffs of London say New England is not  
in their Liberties. M<sup>r</sup> Atturney seemed to be of opinion  
that a new Writt should be directed to me and I to goe over  
immediately & to serve it upon the Corporation; but said  
he would discourse my L<sup>d</sup> Cheife Justice. I pray be pleased  
to move that M<sup>r</sup> Atturney give His Ma<sup>y</sup> an account of the  
proceedings

proceedings & what is to be done in Order to bring them to  
appeare w<sup>ch</sup> hitherto they refuse.

I am

I am ready to goe to Y<sup>r</sup> Lordſps moſt humble Serv<sup>t</sup>  
New England when ED. RANDOLPH.  
commanded, & may returne ſooner  
thence than this matter can be iſſued, had  
the writt been drawne as it ought to be.

[*Endorſed*] 2 May (84.) Copy of M<sup>r</sup> Randolph's letter.  
about y<sup>e</sup> Quo Warranto ag<sup>t</sup> New England.

EDWARD RANDOLPH TO SIR ROBERT SOUTHWELL.

*Collection of the late Sir Thomas Phillipps, Bart.*

Whitehall May 3 1684

S<sup>r</sup>:

I received from M<sup>r</sup> Sampſon about y<sup>e</sup> 29 of Aprill your  
to Thomas Smith at Greenwich which till this day I had  
not tyme to carry theither. I enquired about the place &  
proffitts & find it is a reverſion of a place in y<sup>e</sup> Tower fallen  
to him. worth 60<sup>n</sup> a yeare there is alſo a Vacancy of another  
place in the tower worth 50<sup>n</sup> a yeare & he is very much  
preſd to accept that. I delivered him your letter this morn-  
ing having no direCTIONS from you to the contrary, till now  
that I am returned heither I find in yours of Aprill y<sup>e</sup> 28<sup>th</sup> to  
M<sup>r</sup> Sampſon that I am to keep your letter by me till I could  
be informd by M<sup>r</sup> Fflamſted of ſome other fitt perſon for  
your purpoſe which I made my buſines with him & he hath  
aſſured me to make a carefull enquiry & adviſe me upon the  
firſt notice. I ſhall engage my univerſity acquaintance to  
make

make enquiry for some ingenuous person of 4 or 5 yeares standing not able to support the Charge of longer expectation of preferment in y<sup>e</sup> Colledge, who would readily except of your offers & such studies & directions as might qualify him for y<sup>e</sup> end proposed. besides I question not but in 3 or 4 months tyme he might be improved under M<sup>r</sup> Fflamsted's care & assistance so farr as may make him capable to serve M<sup>r</sup> Southwell in his travells.

I have been full of distracting busines and attendance about the prosecuting the Quo Warr<sup>to</sup> and now at last we have discovered a fundamentall mistake in the first step, the Clerk having directed his writt against the perticuler persons in y<sup>e</sup> Gom<sup>t</sup> whereas it ought to be brought against the Gov<sup>r</sup> & Company etc: This night I am to give M<sup>r</sup> Blathwait an account at Winfor & beleive I must be engaged to make the other voyage to New Eng<sup>d</sup> to make a compleat service. I heare 2 ships are going for N. Eng<sup>d</sup> from. Bristol & if I have speedy orders to be gone intend to gett a passage from thence upon one of them and then I leave my brother behind me till my return. who at present employes his tyme in writing in y<sup>e</sup> Plantation Office. he hath lived a long tyme in y<sup>e</sup> Streights understands Italian very well. & all merchants trade there, having travelled 5 tymes thro Ffrance & parts of Italy the Coasts of Spaine Turkey & Greece. Fflanders & Holland being acquainted in most of their languages & perticulerly in Italian: he is willing to be servicable in M<sup>r</sup> Dens absence to take care of that affair till my return if you please to accept of him I hope in 4 or 5 dayes tyme to give you an account of some person having this day sent a letter to enquire a Gen<sup>t</sup> reported to be very ingenuous lately

lately returned from his travells from Rome. & other places  
& hath a rare fancy in limning. I now am more perticuler  
with my freind about him: & shall not be wanting to give  
you an early notice of him or any other I can be advifed  
may be serviceable to your occasions. I give you my most  
humble service & thanks for all your favors and account it  
my happines if any affaire happens wherein I may be truly  
serviceable to you because I am S<sup>r</sup>

your most obliged and

My service to M<sup>r</sup>

most obedient servant

Southwell & y<sup>e</sup> young

ED RANDOLPH.

Ladies.

[ *With superscription* ]

To the Hon<sup>d</sup>  
S<sup>r</sup> Robert Southwell  
at King Weston  
neer Bristoll

RANDOLPH TO SIR ROBERT SOUTHWELL.

*Collection of the late Sir Thomas Phillipps, Bart.*

S<sup>r</sup>

Whitehall May 13<sup>th</sup> 1684

I have yours of y<sup>e</sup> 5<sup>th</sup> instant. by which I find you are in-  
tended to trye M<sup>r</sup> Tayler, I have engaged severall freinds  
to enquire for a person proper for your purposes. & am not  
out of hopes to find out such an one. if I make any stay here  
which is yett very uncertain. for this day was read a report  
from M<sup>r</sup> Attorney in y<sup>e</sup> Committee w<sup>ch</sup> inclines the Lords to  
believe it necessary for me to go over yet once againe, but  
the matter will be fuller discourfd' next fryday in Councill.  
at Hampton Court and if I am to go over intend to go by  
way

way of Bristoll. I have no freind in that town to whom I can engage to take care for an accomodation aboard any of the ships. reported to be in a readines to sayle for N. Eng<sup>d</sup> I therefore desire y<sup>e</sup> favour of you speake to M<sup>r</sup> Henly to discourse Cap<sup>t</sup> Alexander of the tyme of his sayling wheither he will carry over a passenger or two to be in his great Cabbin: I hope to be ready in a fortnight's tyme if there be a necessity of my sayling yet once againe upon y<sup>e</sup> same errand. We heare the Commission of Admiralty is expiring & to revert to his Royall Highnes. the Princeesse of Denmark was delivered of a dead daughter. D<sup>r</sup> Oates arrested Saturday last at y<sup>e</sup> Dukes suite (as reported) for scandalum magnatū. & yesterday removed himself from y<sup>e</sup> Counter to y<sup>e</sup> K<sup>s</sup> Bench: I humbly thanke you for your kind invitation to Kings Weston & fend to M<sup>r</sup> Southwell & the young ladyes. the inclosed to ad to their Collection of pictures. and am S<sup>r</sup> your most humble servant

ED. RANDOLPH.

[ *With superscription* ]      To the Hon<sup>d</sup>  
    S<sup>r</sup> Robert Southwell  
    at Kings Weston  
    neer Bristoll

RANDOLPH TO SIR ROBERT SOUTHWELL.

*Collection of the late Sir Thomas Phillipps, Bart.*S<sup>r</sup>Whitehall May 17<sup>th</sup> 1684

Such hath been y<sup>e</sup> variety & truely inconsultednes in our late method relating to y<sup>e</sup> proceedings against the Bostoners Charter That till Thirsdlay last I expected his Ma<sup>i</sup> commands to make another trip to New Eng<sup>d</sup> but then with  
    some

some difficulty M<sup>r</sup> Blathwayt convincd' M<sup>r</sup> Attorney (who all along covered the oversight or rather neglect of his clerk) of the former error, & now by his report wee are fetled in another way & I hope by the end of next term to gett Judgm<sup>t</sup> entred ag<sup>t</sup> their Charter. unlesse prevented by some extraordinary providence (as the Bostoners hope for) for I find every one concernd' that there hath been so great delays in a busines of such concern to his Mat.

I have putt under M<sup>r</sup> Samsons cover some letters directed to my freinds in New Eng<sup>d</sup> which I desire M<sup>r</sup> Tayler may be engaged to deliver to some of y<sup>e</sup> Masters now bound for Boston. S<sup>r</sup> I have no acquaintance in Bristoll. I have no present opportunity of sending my letters from hence. which hath obliged me to give so much trouble to your freinds. Severall of y<sup>e</sup> principle Nobility of Scotland are come to London upon a dissatisfaction and disagreement betwixt them & their chancellor I am promised a dispatch of all our N. Eng<sup>d</sup> affaires in 2 months tyme: till which tyme I am to stay and shall be alwayes ready to receive your comānd as farr as is in the power of S<sup>r</sup>

your most humble

I am troubled that I have given you most obedient serv<sup>t</sup>  
or M<sup>r</sup> Henley any care about procuring E RANDOLPH  
a passage to N. Eng<sup>d</sup> upon any ship  
in Bristoll: I am now engaged to solícite  
new man in a new prosecution

[*With superscription*]

To S<sup>r</sup> Robert Southwell —  
at Kings Weston  
neer Bristoll  
present —

HIS



HIS MA<sup>TY</sup> PASS TO M<sup>R</sup> RANDOLPH.*State Papers, Colonial, Bundle 54 (307), 24 May, 1684.*

iv

Charles R :

Charles the Second by y<sup>e</sup> Grace of God King of Eng<sup>d</sup>  
 Scotland ffrance & Ireland Defend<sup>r</sup> of y<sup>e</sup> faith etc. To all  
 Admiralls vice Admiralls Cap<sup>ts</sup> of Our ships at sea Gou<sup>rs</sup> of  
 our foraine plantations, Command<sup>rs</sup> of Our forts & Garrisons :  
 And to all Mayors Sheriffs Justices of y<sup>e</sup> Peace, Bayliffs  
 Constables Customers Comptroulers Searchers and all others  
 whom it may Concern Greeting. Whereas we haue thought  
 fitt to employ the Bearer hereof Edward Randolph Esq<sup>r</sup>  
 Collector Surveyor & Searcher of Our Customs in Our Col-  
 ony of New Eng<sup>d</sup> in America, vpon Our speciall seruice to  
 Our said Colony. Our will & pleasure is and wee do hereby  
 require & Command you (as wee do desire all Admiralls  
 vice admiralls Captaines & other the Officers of the Shippes  
 of Warr of any Prince or State in amity with us) to suffer  
 the said Edward Randolph and his two Seruants with his  
 baggage & necessaryes freely & quietly to passe from this  
 Our Kingdome vnto our said Colony of N. Eng<sup>d</sup> and vpon  
 his arriuall there that hee be ciuilly & kindly treated, &  
 assisted vpon all occasions where in hee may stand in  
 need of the aide & furtherance of Our Good Subjects  
 vpon Our said Colony, in order to y<sup>e</sup> better Dispatch of y<sup>e</sup>  
 Commands wee haue giuen him And that finally hauing  
 performed the same hee be Suffred w<sup>th</sup> like freedome to  
 return back into this Our Kingdome. Giuen at Our  
 Court

*Documents and Letters.* 305

Court at Winfor y<sup>e</sup> 24<sup>th</sup> day of May 1684 in y<sup>e</sup> 36 yeare of  
Our Raigh.

By his Ma<sup>ty</sup> Command.

SUNDERLAND.

[*Endorsed*] Copy of his Ma<sup>ty</sup>'s Passe  
Granted to EdRandolph.

M<sup>r</sup> ROSS's L<sup>re</sup> TO M<sup>r</sup> RANDOLPH.

*State Papers, Colonial, Bundle 55 (379).*

S<sup>r</sup>

Being Lately in Amsterdam Accidentally Came into my  
hand: A Letter from Boston w<sup>ch</sup> I had time to Coppy, and  
findeing you Concerned therein thought good to Send you  
the Coppy. It is a long time Since I see you in Scotland  
where yo<sup>r</sup> Favors Ever Obliged me to be

Yo<sup>r</sup> Humble Serv<sup>t</sup>

Fryday June 6<sup>th</sup> [1684]

GEORGE ROSS.

For

[*sic*] Edmund Randall Esq<sup>r</sup>  
at the Plantation Office  
at Whitehall.

[*Endorsed*] N<sup>o</sup> 1.  
Copy of M<sup>r</sup> Ross's letter  
to M<sup>r</sup> Randolph with  
M<sup>r</sup> Mathers letter to  
M<sup>r</sup> English at Amsterdam:  
dat 3 Dec: 88.

JOSEPH DUDLEY TO EDWARD RANDOLPH.

*Massachusetts Historical Society Collections, Fourth Series, Vol. VIII. p. 484.*

D. TO R.

June 7. 1684.

I suppose, notwithstanding all the Delayses you complain of, if M<sup>r</sup> Attorney General please, *Trinity Term* may end His Maj<sup>ties</sup> suit, & make Way for his perfect Satisfaction. When I may expect to satisfy myself.

I have since sometimes Drank your Health at my Dame Taylor's.

Wee well know that your Influence & Industry may prevail much. S<sup>t</sup> Wee drink your Health, & are

Your most humble Serv<sup>ts</sup>

J. D.

THADDEUS MACKARTY.

EDWARD RANDOLPH TO GYLES RANDOLPH.

*Historical Papers by C. W. Tuttle, p. 325.*

[London] June 19, 1684.

Bro. Gyles, — I have not further to trouble you by this ship only to acquaint my friends what was done in their Charter yesterday at y<sup>e</sup> Court of Chancery: A Rule for judgment to be as of this Term: but in case they shall appear by the first day of next Term & plead so as to go to tryall that Term, then the judgment not to be recorded. By the inclosed you see what is done with D<sup>r</sup> Oates. Tomorrow Sir Thomas Armstrong is to be executed at Tyburn.

Here

Here was a flying report that Ferguson was taken, but that is contradicted. Be sure you [are] very exact in your certificates for Ships loaden for Barbados, Jamaica etc: Sir Richard Dutton goes now aboard for Barbados. My blessing to my Dear children. Be careful in delivery of all my letters as directed, & believe that I am

Your very Lo: Brother,

ED. RANDOLPH.

My service to Mr. Shrimpton, Mr. Wharton & Mr. Usher: & to all my friends.

ORDER OF CHANCERY FOR ENTRING JUDGEM<sup>t</sup> AG<sup>t</sup> THE MASSACHUSETTS CHARTER IF THEY DOE NOT COME TO TRYALL NEXT TERME.

*State Papers, Colonial, Entry Book 61, p. 203, 21 June 1684.*

Mercurij xxj<sup>a</sup> die Junij an<sup>o</sup> RRs  
Car: 2<sup>a</sup> Tricesim sex<sup>ta</sup>, Int<sup>r</sup> Dom<sup>u</sup> Reg<sup>m</sup>  
que<sup>r</sup> Gu<sup>b</sup>nato<sup>r</sup> & Societa<sup>t</sup> de Massachusets  
Bay in No<sup>v</sup> Ang<sup>l</sup>. Des<sup>t</sup>es.

Whereas by an Order of the 12<sup>th</sup> of this instant June vpon the Motion of M<sup>r</sup> Williams on the behalf of the Defend<sup>t</sup> It was Ordered That the Defend<sup>t</sup> should have further time to appeare to severall Writts of Sci<sup>r</sup> fa<sup>c</sup> issued on y<sup>e</sup> behalf of his Ma<sup>y</sup> against the Defend<sup>t</sup> for revoking their Charter vnles<sup>s</sup> M<sup>r</sup> Atturney Generall haveing notice should on the 14<sup>th</sup> of this instant shew cause to the contrary, which Said Order vpon the Motion of M<sup>r</sup> Atturney Gen<sup>l</sup>, M<sup>r</sup> North and M<sup>r</sup> Ward on behalf of his Ma<sup>y</sup> for the reasons then Shewen, was absolutely discharged, Now vpon opening the matter  
this

this present day vnto this Court by M<sup>r</sup> Attorney Generall, M<sup>r</sup> North & M<sup>r</sup> Ward on his Ma<sup>ty</sup> part, alledging that contrary to the Order of the 12<sup>th</sup> whereby cause was to be shewen the 14<sup>th</sup> the Reg<sup>t</sup> hath drawn vp the Order to have cause shewn this day; which is a prejudice to his Ma<sup>ty</sup> by the delay of this cause: It was therefore prayed that the said mistake may be rectified and the Order of the 14<sup>th</sup> be made absolute, soe that Judgement may be entred vp for his Ma<sup>ty</sup> for their non appearance. But vpon hearing M<sup>r</sup> Keck and M<sup>r</sup> Rawlinson & M<sup>r</sup> Phillips on the behalf of the Defend<sup>t</sup> suggesting that they had noe notice of the said Writts of Scire Facias, tho' they had of the Quo Warranto lately brought, and therefore prayed time to send over to New England to have an answere, and vpon hearing what was insisted on by Counsell on either side, This Court doth think fitt and soe Order that Judgem<sup>t</sup> be entred vp for his Ma<sup>ty</sup> vpon the said Scire Facias, as of this Terme; but in case the said Defend<sup>t</sup> doe peremptorily by the first day of the next appeare and plead to Issue, soe as to take notice of a Tryall to be had the same Terme, then the said Judgment by the consent of M<sup>r</sup> Attorney Generall is to be sett aside; but in default thereof the said Judgement is to stand and to be recorded accordingly with<sup>t</sup> further mo<sup>o</sup>on.

—P CAREW GUIDOTT.

Dep: Reg<sup>t</sup>

M<sup>r</sup> Devenish.

This is the Order pronounced by the Court; pray lett it be entred; It very much concerns the King.

R. SAWYER.

16 JULY 1684. REPRESENTATION OF M<sup>r</sup> RANDOLPH OF THE  
STATE OF THE MASSACHUSETTS COLONY.

*State Papers, Colonial, Bundle 54 (270).*

To the Right Hon<sup>ble</sup> the Lords of the Co<sup>m</sup>mittee for Trade  
and foraine Plantations.

May itt please your Lord<sup>ships</sup>

I am informed by severall letters from Boston in New England as also by severall persons Lately come from thence that since my Leaueing that place, the Govern<sup>r</sup> and Magistrates there haue beene verry busy in repairing their ffortifications, and vpon the 7<sup>th</sup> day of May Last being the time of their Ellection, M<sup>r</sup> Dudly (one of their Late Agents) M<sup>r</sup> Browne and M<sup>r</sup> Gidney, who haue beene for many years Magistrates were with great contempt and Scorne Left out of that Number, because they voted for Submission to his Ma<sup>ties</sup> pleasure in regulating of their Government Signified in his Last Declaration to that Colony, and very seditious and inconsiderable persons were chosen in their places, and that M<sup>r</sup> Stoughton and M<sup>r</sup> Bulkly their former Agents, who were likewise in the same vote, being vnwilling to countenance the proceedings in the Governm<sup>t</sup> there haue dismissed themselues from the Magistracy Wherupon about 70 of the cheif Merchants and Gent<sup>le</sup> on horseback that after noone accompanied M<sup>r</sup> Stoughton and M<sup>r</sup> Dudley to their houses 2 or 3 miles distant from Boston Leaving the people very much dissatisfied. By these means the Acts of Trade and Navigation, still opposed by this party, are now renderd insignificant, and the faction haueing gotten the sole Govern  
ment

ment into their hands (a thing never till this time attempted) may in short time proue very prevallént and dangerous, they continueing to raise money vpon the Ihabitants as formerly, notwithstanding his Ma<sup>ties</sup> Declaration to the contrary.

What the Evill consequences of these proceedings if not speedily taken notice of & prevented may proue is humbly Submitted to your Lord<sup>ships</sup> considerations.

By your Lord<sup>ships</sup>

most humble Seru<sup>t</sup>

ED RANDOLPH.

[*Endorsed*] M<sup>r</sup>. Randolph's Representation concern<sup>ing</sup> the proceedings  
at Boston since his coming away.  
Read at y<sup>e</sup> Committee 16<sup>th</sup> July 84.

EDWARD RANDOLPH TO SAMUEL SHRIMPTON.

*Mather Papers*, Vol. V. p. 68, in Boston Public Library.

Whitehall, July 18<sup>th</sup>, 84.

S<sup>r</sup>, — I receiued your kind lines, & thank you for your care in my affaire. Mr. Nelson hath sent me a very indiscreet letter, but if he had not set his name to it, I should haue guesd from whence it came. I will not steale away his mother, nor be concerned with any where he has to do: I find all are mad in your country, and that *Mr. Mather y<sup>e</sup> Bellowes of Sedition & Treason, has at last attained his end in setting his fools a horse-back. If they do not mend their manners, some of them may ride to the diuill.* No better newes could come to me then to heare Mr. Dudley principally was putt out of y<sup>e</sup> Election, the fitter man to serue y<sup>e</sup> King & his Country in an honorable station; for they haue declared him

him so: I hope in god all will do very well, except your madmen endeavour to run y<sup>e</sup> people into a Rebellion. *You haue Mr. Mather's letter sent to Mr. Gouge of Amsterdam, sent to Major Dudley; I desire him to let you haue a copy of it.* pray haue a strict eye upon my Daughters Betty & Mary. Their sister Jane hath shewn them a very bad example, & is a loft child to me. God giue her grace to repent. I found Mr. foy could not bring ouer a horse as you expected. pray haue a little patience, & you will haue choice in a little tyme brought you ouer: my seruice to Madam Shrimpton, and to all our freinds: I haue no newes to send you ouer, onely that S<sup>r</sup> Edw<sup>d</sup> Dering, one of the Lords Comm<sup>rs</sup> of the Treasury, is dead; and so is S<sup>r</sup> George Downing: I send my Brother ouer to succeed my Bro: Gyls, and Mr. Thatcher is no longer to be concernd, as I now writ to him. I am in great haft & greater trouble, & remain, S<sup>r</sup>,

Your assured freind & Serv

ED: RANDOLPH

Mr. Shrimpton.

MONEYS RECEIVED AND PAID FOR SECRET SERVICES OF  
CHARLES II. AND JAMES II. FROM 30TH MARCH 1679 TO  
25TH DECEMBER 1688.

*Publications of the Camden Society [1851].*

July 19<sup>th</sup> 1684.

To Edward Randolph, for his charge and expenses *li. s. d.*  
laid out in prosecuting and folliciting the quo  
warranto brought ag<sup>t</sup> Maffachufetts Bay . . . 50 0 0

(M<sup>r</sup>



(M<sup>r</sup> MATHERS?) TO (M<sup>r</sup> GOUGE?) AT AMSTERDAM.*State Papers, Colonial, Bundle 55 (382), 3 Dec. 1683.*Boston in New England  
the 3<sup>d</sup> of the x<sup>th</sup> 1683.S<sup>r</sup>:

I am Oblidged to you for yo' fauor in writeing me by o' agents returne w<sup>ch</sup> Letter I haue receiued & Obserue w<sup>t</sup> you write Concerneing affaires in England, & how o' ffreinds are there wrongfully abused. I am glad God has preferued o' good freind M<sup>r</sup> ferguson and Sent him ouer to yo' Side the water where theire Mallice Cannot reach him, Wee haue (before Yo<sup>m</sup> came to hand) heard the great Sufferring of Seuerall of the Seruants of the Lord; What you Say as to their Intentions to roote out gods word from amongst Vs, I will Say with the Lords prophet David, the Righteous alsoe Shall See this and feare and Shall Laugh them to Scorne I am well Affured of the happyness to that great ffreind of Gods Cause the Lord of Shaftsbury who you Say Dyed in o' Good ffreind M<sup>r</sup> Kicks house if they could hee Should haue Certainly beene Cutt off by those Evill Dooers for they can New mold the Law as [they] please and Make it theire Studdy more to please men then God; Corrupt are they and are become abominable in theire Wickedness, there is None that doth good; Jehovah Looked downe from heaven Vpon the Childeren of men: to See if there were any that would Vnderstand and Seeke after him No: All are Seekeing after Vanity & haue Not God before their Eyes; Truly I must Say with you: Neauer was any Age Soe farr gon in whorcing after theire owne Lusts and pleasures, Yea  
from

from the King that Sitteth on the throne to the beggar, An Vnwise man doth Not well Confidder this, and a foole doth Not Vnderstand it. It was a great greife to me to heare the death of that good Lord Russell, and how barberousley the Earle of Essex was Murthered in the tower, wee may See w<sup>th</sup> halfe an Eye w<sup>ch</sup> way they Intend to driue poore England. Well wee can onely Say with holy Daud, Our God Shall Come and Shall Not Keepe Silence, there Shall goe before him a Consumeing fire, a mighty tempest Shall be Stirred Vp round about him, to whome wee will Co<sup>m</sup>itt all our Concernes. I thanke you for the Care you haue taken in geting those prints in readyness to Send me by the Next Shipp; pray lett mee haue the following bookes Sent with them, the New Couenant of Scotland, Carryll Vpon Job, & M<sup>r</sup> Owen's last workes with Some of yo<sup>r</sup> New Geneva prints: that I may Collect of all to Sweeten the Milke to the pallate of these Good Christians Who praised be God receiue with Cheerefullness o<sup>r</sup> administration. I am glad to heare the Lord hath raised a Defend<sup>r</sup> for his people in Hungary, and I am Certainly of Opinion the Lords Worke will be done by those heathens, and the Whore of Babylon Shall fall; his late Signes in the Heauens did foretell Such workes, my Prayers Shall be Continually for their Victory for Certainly it is his will it Shall be Soe.

As to Affaires in these Ptes w<sup>ch</sup> you desire to haue acco<sup>t</sup> of I Shall tell you, the Same Weeke as our agents Arriued Randolph did also arriue with a Su<sup>m</sup>ons from the King for our Charter, the Next day after he arriued was a Sadd fire burnt downe the richest Pte of the towne, w<sup>ch</sup> Some beleieue was done by his Meanes, for a few dayes after he went out of

towne, or Certainly hee would haue Ended his dayes through Some of the tumultious Sufferours, he has Made it his buisness to Spread the Kings Declarations all about the Country: and perswaded two Collonyes to ffall of from their Vniteing with Vs; A Generall Court hath beene Called here w<sup>ch</sup> hath beene held ffourteen dayes, the Gouvernour and Seuerall of our Majestrates Not regarding their Oath to God and the Country Esteemeing rather to please his Ma<sup>y</sup> haue Voted to Surrender Vp their Charter; but the Dep<sup>y</sup> Gouverno<sup>r</sup> w<sup>th</sup> Seuerall other Majestrates & most of the house of Deputyes who feare God more then Man are for keepinge our priuillidges w<sup>ch</sup> is my Opinion also: for I Cannot Vnderstand whye wee Should giue away what the Lord God hath afforded Vs, and what Euer the Event may be Wee Ought to stand by them with our Liues and ffortunes, for Soe Ahab required Naaboths Vinyard, Wee haue had good Encouragem<sup>t</sup> from England, for Severall good & Wor- thy men among the Law Docters haue Counclled Vs to Stand it out at Law, w<sup>ch</sup> most giue Vs hope wee Shall be able to Mainteyne, though the Charge be Very great, but in England money will doe much. this Randolph has beene a Mortall Enemy to our Country and most Say if he had Not often Moued his Ma<sup>y</sup> it would Neauer haue beene his Concerne, for he was Sattisfied with our Sending away the Co<sup>m</sup>miss<sup>r</sup> w<sup>ch</sup> came ouer Some Yeares Since, It has Cost these poore people a great Deale of money and if 2 or 3000 pounds will buy it off wee haue those who will giue it, Wee haue good ffreinds in England who will largely Contribute, but Dare Not be Seen for feare of troubles.

Wee Expect great Quantetyes of our ffreinds to Come  
ouer

ouer from England, God will Certainly Avenge the blood of his Saints, and those who liue Shall See & feare o' great Jehovah. Oh: that wee may Not bow the Knee to Baal Nor worship any graven Image, O' God is the great God & Jehovah is his Name, he hath Strengthened the people in the Wilderネス and made his power Knowne to the Heathen, Yet wee haue Some that run a Whoreing after their owne Inventions and fall off from our Church, Oh: that God would Send a Daniell to Interprett the Vissions w<sup>th</sup> o' King may dayly See in the Heauens, leaft it be Said No more, beware, beware, but Vengancce fall Vpon the Nation: I will Say with John y<sup>e</sup> Diuine, here is Wifdome lett him that hath Vnderstanding Count the Number of the beaft for it is the Number of a Man and his Number is Six Hundred three Score and Six and God will Certainly full-fill his Sayings. Pray when you See M<sup>r</sup> ferguson giue him my Kinde Sallutes, if he continue his resolution of Comeing ouer here, he may be Sure of a harty Welcome, but I feare he must be forced to Chainge his Name, for though wee haue power in o' Charter to receiue & protect who flye for perfecution Sake as Wee did Gouffe & Whaley, Yet wee feare that priuillidge will be forced from us God graunt wee may haue the Enjoym<sup>t</sup> of our heavenly Charter; w<sup>th</sup> Iesus Christ hath purchafed for us, and would alsoe bee Demanded if Some Dare Venture, but there wee Should Meete and the Sheepe Shall be Knowne from the Goates, But Now a Jesuit is a Courtier a Seruant & what you will Soe as he be Noe Enemy of the Court, he may be any thing, Some report here that M<sup>r</sup> Oates is out of ffavour for Discouering the Popish Plott Hâ; had he but Sworne for them hee  
would

would Certainly haue been a Bishop, if S<sup>r</sup> L: J. had pleased.  
 this comes to you by way of Barbados, a Jew goeing thither  
 & So to yo<sup>r</sup> place, has promised to Deliuer it into yo<sup>r</sup> owne  
 hands, pray giue my harty respects to good M<sup>r</sup> Kick to  
 whome I will write by a Shipp that may Sayle about 3  
 weekes hence, M<sup>r</sup> Kicks Sonn is a Hopefull Young man  
 & one I dare Say that feares the Lord, Randolph returnes  
 Vpon a Shipp w<sup>ch</sup> will Sayle about 3 weekes hence, God  
 will Surely follow him where Euer he goes for he has much  
 prejudiced us. If he Should Miscarry in his Voiage it is  
 Gods Just Judgm<sup>t</sup> Pray let me heare from You by all Oc-  
 cations, and lett yo<sup>r</sup> Prayers be Constantly for us, as wee  
 Continually Pray for You and for all the true Seru<sup>ts</sup> of the  
 Lord, I will Conculde in Sayeing the Lord Liueth and  
 blessed be my Strong helper and praised be the god of our  
 Saluation, Jehovah is his Name: to him I Comitt you and  
 in all Sincerity am Yo<sup>r</sup> in Christ Iesus

To my Worthy ffreind

J: M:

M<sup>r</sup> G: — in Amsterdam. by way of Barbados.

To m<sup>r</sup> English Minister at Amsterdam.

[*Endorsed*] N<sup>o</sup> 2. N. England 3 Dec: 1683. Copy of M<sup>r</sup> Mathers  
 leter to M<sup>r</sup> English at Amsterdam Rec<sup>d</sup> from M<sup>r</sup> Rando[lph]  
 1 Dec: 1688. [*sic*] S<sup>r</sup> [f<sup>r</sup>:] Lefrange tooke Notice of this  
 letter by ord<sup>r</sup>

**EDWARD**

EDWARD RANDOLPH TO SAMUEL SHRIMPTON.

*Mather Papers*, Vol. V. p. 69, in Boston Public Library.

[London] July 26. 1684.

S<sup>r</sup>,— I haue also receiued yours of Boston, June 5<sup>th</sup>, for which I heartily thanke you, & for your cautions therein. Euery line speakes great loue & freindship. I am prepared to anfwere Gov. Cranfeild & Mr. Dyer's reports of me here at home. As to y<sup>e</sup> french wine, I value not any of their discourse. I onely wish you had as much more now by you. S<sup>r</sup>, I haue not tyme to write particularly to y<sup>r</sup> lady as I ought, but I intreat her to giue credit to me, when I assure her that nobody in your Colony will be disturbed in their worship; but when I heare how foolish your people haue been in their late Election, I cannot but very much blame Brother Allen, who cannot forbear blowing the bel- lowes. Its naturall to him to be meddling in Gou<sup>t</sup>, & now lett the party see what a monster they haue made of their Magistracy; composed of ffooles & knaues: I am extreamely folicitous that Mr. Dudley might haue the sole Gou<sup>t</sup> of N. Eng<sup>d</sup>, for no man better understands the constitution of your country, & hath more loyalty & respect to his Ma<sup>ties</sup> affaires, but I dare not openly appeare in it, least it be thought there is some private design in it, but I am upon all occasions hinting his meritt to his freinds: But as yet there are no resolutions taken, wheither one Gou<sup>r</sup> ouer the whole, or a distinct Gou<sup>r</sup> over your Colony, to be allowed of by his Ma<sup>ties</sup>, with the addition of N. Plymouth: & till that be under consideration twill be very improper to make any applications

applications about it. S<sup>r</sup>, be confident no tyme or opportunity shall be lost to promote Mr. Dudley's interest, for in that all our happines consists. I am certain things awhile ago would haue been easly brought about; but now your people haue madly contriued their Security. Euery body here that is generally well inclined to your Country are so startled, that I am forced to take paines to convince them that the late proceedings are not the act of the whole Colony. I fend you inclosed a copy of Mr. Nelson's letter, which, when read & shown to Major Dudley, committ to the fire. I am unwilling to expose him for Mrs. Tayler's sake. Pray present my hearty respects to your lady, and once more I make my solemn protest, that if *your ministers do not preach up rebellion, as lately Mr. Nowell did in his Artillery Sermon, & Mr. Mather in his late letter, they may preach till they and all their hearers are tyred: But that's a thing very naturall to them:* Mr. ffoy has been very diligent in all his affaires. I hope to see him in a better imploy, when your Country is once settled.

S<sup>r</sup>, I give my Blessing to my Daughters, & remain

S<sup>r</sup>, Your most assured friend & most  
humble seru<sup>t</sup>,

ED. RANDOLPH.

Fryre hath lately putt in Articles against Mr. Cranfield, which render him here a very ill man, & in tyme will do his busines. I heare not one word from him, Mr. Mafon or Mr. Chamberlain.

[To] Mr. Shrimpton.

EDWARD

EDWARD RANDOLPH TO THE ARCHBISHOP OF CANTERBURY.

*New England Historical Genealogical Register*, Vol. XXXVII. p. 158.August 23<sup>d</sup> 1684.

May it please your Grace —

Such has been my continued zeale to settle his Maj<sup>ties</sup> affaires in n Eng<sup>d</sup> that I have thereby raised my selfe many enemyes here in London, who by their false reports that I have gott a great estate in his Maj<sup>ties</sup> service, have invited an Anabaptist at Deale to bring an Action of 125<sup>£</sup> principle money ag<sup>t</sup> me for which I was engaged nigh 14 years ago; and the plaintiff knew that by fire I had lost above 1000<sup>£</sup>, and had the remainder of my estate nigh 1130<sup>£</sup> more swept away by being further engaged for a very unjust brother in Law & never intended to sue me for it. It is not unknown to your Grace that I was sent for by an Order of the Lords of y<sup>e</sup> Committee for Trade (your Grace being present as I remember) to prosecute a Quo Warr<sup>to</sup> ag<sup>t</sup> y<sup>e</sup> Boston charter: that Immediately I exposed myself to y<sup>e</sup> Dangers of y<sup>e</sup> Seas; leaving my family and small estate in Boston to attend here his Maj<sup>ties</sup> Commands. I have remaining due to me above 400<sup>£</sup> upon account in y<sup>e</sup> Treasury & hoped upon petition to have some money allowed me; but wanting that supply I still lie under a very chargeable confinement: which will speedily ruine me & overthrow his Maj<sup>ties</sup> intentions to reduce that whole plantation to the rules of Govern<sup>t</sup> in regard I have no visible estate in Eng<sup>d</sup> & so cannot procure Bail to the Action as is expected. Yesterday a Gent<sup>o</sup> condoling my unhappy Condition offered me 50<sup>£</sup> to be deposited in the



the hand of the Sheriffe as Caution for my liberty till y<sup>e</sup> next Term begins; and that loan will be then duely returned to those concerned. I humbly submitt my felfe to your Graces favour intreating that your Grace will please to promote so Christian a propofall that others of the Lords of his Maj<sup>ties</sup> Councill being encouraged by your Graces Example may in a few days make that money up 220*l* & if your Grace think not fitt to have your money in the sheriffs hands I shall desire M<sup>r</sup> Povey of the Plantation office to reserve it in Bank for my liberty & your Graces use againe. My lord this present advance will be of greater benefitt to me than above twice as much given me at Mich<sup>s</sup> for this is the tyme of my extremity & I shall thereby be enabled to solicit the procuring my money in the Treasury. I have desired D<sup>r</sup> Morice to lett me know your Graces intention herein and humbly subscribe in all Duty your Graces most dutyfull & most

obedient servant,

E<sup>p</sup>. RANDOLPH.

EDWARD RANDOLPH TO SIMON BRADSTREET.

*Mather Papers*, Vol. V. p. 76, in Boston Public Library.

[London] Sep : 4 : 1684.

To the Hon<sup>d</sup> Symon Bradstreet Esq<sup>r</sup> Gov<sup>r</sup>

Hon<sup>d</sup> S<sup>r</sup>, — I most gratefully receiued the favour of yours of y<sup>e</sup> 7<sup>th</sup> of June, which I shall improve to the benefitt of your Country; if their continued provoking his Ma<sup>ties</sup> by their idle phancies do not render them at last vnfit to receiue that favour & grace, which has been so often tendred them.

Nothing

Nothing as yet can be done till the beginning of next term, and then, in case they should [in] tyme enough send over new power to their Attorney to plead, upon his appearance, it will but inflame the reckning. But what care your people: They haue the Gou' now, & will hold it as long as they can, knowing they shall never be troubled more in that station.

Sr, you excuse me, that altho' I know you are Gou', yet I discourse of the manage[ment] of your Gouv', as if you were not concerned in it. truly I am glad they take it off from you: I am sure the whole miscarriage ought to be truly placed, and that no innocent person in your Colony ought to suffer because some men, great professors, have inspired a faction to act contrary to their duty to their King, and the good of that Country they have sworn to govern.

Sr, Its true *Mr. Mather* did deny to lett me haue y<sup>e</sup> Com-  
passe you were pleased to trouble your selfe to write about,  
(as I remember,) he telling me there was another whose  
polarity was altered, & that was in y<sup>e</sup> State House in Am-  
sterdam: this is enough to assure you that I discoursd him  
about it, but methinkes he mistook his subject, if he intended  
to improve his interest in Amsterdam, & procure that  
Compass be sent to Eng<sup>d</sup>, when *in his letter to Mr. Gouge, of*  
*y<sup>e</sup> 3 of y<sup>e</sup> 10<sup>th</sup> month,* he *reviles the Governmt<sup>t</sup> he liues under,*  
taxing y<sup>r</sup> Hon<sup>r</sup> & Severall of y<sup>e</sup> Magistrates with little lesse  
then perjury & vnfaithfullnes to your Country: It's then no  
wonder you & the feuerall of y<sup>e</sup> Magistrates had so few votes  
at y<sup>e</sup> nomination, when one of the Sanedrim had so magif-  
terially prejudged you all. I take no notice of his reflecting  
upon y<sup>e</sup> proceedings of affaires in Eng<sup>d</sup>, I hope, upon occa-  
sion,

fion, he is able to make good his severall assertions, & his politick obseruations; but when *S<sup>r</sup> Lionell Jenkins* asked me what his name was who wrote the letter, & finding it to be *Mr. Mather*, (as I could well informe him) he said, *What, is it that Star-Gazer*; that halfe distracted man? & tooke no more notice of him, (as he deserued). I remember when I was last with you, you were all alarumd with a scribled paper (as twas called) abounding with treasonable reflections upon his Ma<sup>tie</sup>, & vndecent discourses of your Hon<sup>r</sup>, & others; but the Author not being proved, nothing that I heard of, came further of it; but I haue by me *Mr. Mather's* originall letter, which he promised he would write to good *Mr. Kick* by a ship which would sayle about 3 weekes hence, (as in the letter), in which letter he has treated me very much vnlike a Good christian, much lesse a Minister of God's word. Butt I thank God I heartily forgiue him, & haue endeavoured in noe way his disquiett, but pray that he may repent of so great a sin against the King & many of his good subjects. I beleiue, had I but one of the letters your Agitators carried about the Colony before your last Election, there would be found very little difference betwixt the matter of those & this lett<sup>r</sup>: If anything bring an unexpected alteration in your ecclesiasticall administration, its occasioned by those who would blow up into a flame those dissentions they haue been so long a kindling: *I haue been obliged to produce this letter, to assure some of the Lords how ill your Hon<sup>r</sup> & Magistrates who voted for a dutyfull submission to his Ma<sup>ty</sup>, etc. are resented by the heads of the faction; the better to confirm their Lordsh<sup>ps</sup> good opinion of you. I am, in that libell (for I cannot, in respect to his Ma<sup>ty</sup>, call it a letter.)*  
*said*

*said to be a mortall enemy to your Country.* Could any thing be contrived of more dangerous consequence at such a criticall minute, as this paper. All the enimyes you haue, (if you haue any) could not giue so mortall a wound to your ecclesiasticall affairs as this; for what prince will suffer their subjects to be instructed by such Teachers, when one of the chiefeſt vents abroad into the world for great truth, such ſeditious diſcourſes as theſe: after all this my buſines ſhall bee to gett all that is paſt buried here in oblivion; praying heartily that your people may ſtudy to be quiett, & in all duty & obedience ſubmitt to thoſe powers that are ſett ouer them; Some of them (I feare) beleiuing their Liberty is as large as their conſciences: I ſhall not faile, by way of Barbados, if opportunity of ſhipping preſent not here for Boſton, to give your Hon<sup>r</sup> adviſe how your affaires are here like to be carried. I pray God grant it may all anſwear the expectations of the good & prudent people in your Colony, and end in your perfect peace & tranquillity, which are the hearty prayers & endeavours of S<sup>r</sup>,

Your very much obliged & moſt humble ſer<sup>t</sup>

ED: RANDOLPH.

My humble ſeruice to your lady, to Mr. Willard & his wife, & to Mr. Dudley Bradſtreet.

S<sup>r</sup>, Mr. Chickley was at Virginnia, loaded tobacco there, carried it to Glaſcow in Scotland, ſold it there; from thence went to Rotterdam, where he loads, & is bound directly for Boſton: he ought to be taken care of, for the Lords of the Treafury haue notice hereof: perhaps ſome of his ſaylers  
may

may betray him. I beleive, where you have ground to suspect, you may make the master of his pink enter upon oath.

John frost has been in Holland, but whence he will come to you, or from what port, I know not, but he ought to be taken notice of also: I write not this to Mr. Thatcher: they are too nigh related to haue any good done vpon a distant information:  
E. R.

#### MEASURES TO BE TAKEN AFTER VACATION OF CHARTER.

*State Papers, Colonial, Entry Book, 108, p. 21.*

At the Committee of Trade & Plantations  
in the Council-Chamber at White Hall  
Saturday the 8<sup>th</sup> of November 1684.

Present: Lord Keeper, Lord President, Lord Privy Seal, Earl of Bridgewater, Earl of Middleton, Earl of Craven, Earl of Clarendon, Earl of Sunderland, Earl of Peterborow, Earl of Aylesbury, Lord Godolphin, S<sup>r</sup> Leolin Jenkins.

New England. The Earl of Sunderland having acquainted the Committee with His Ma<sup>ty's</sup> Pleasure that the Charter of the Massachusetts-Bay being now Vacated vpon a Scire Facias, The Govern<sup>mt</sup> to be considered of. their Lo<sup>ds</sup> should consider what Methods of Government may bee fittest for His Majesty's Service in those parts, as alsoe that a Commission and a Commission to be prepared for Coll Kirk. Instructions bee prepared for Coll Piercy Kirk whom His Ma<sup>ty</sup> hath appointed Governor. Whereupon their Lo<sup>ds</sup> taking notice that the Government of the Province of New Hampshire being already in His New Hampshire to be added. Ma<sup>ty's</sup> hands, are of opinion that it bee put vnder the Government of Coll Kirk vpon the Revocation of M<sup>r</sup> Cranfeild's

and N. Plimouth. Cranfeild's Commission. And that the Colony of New Plimouth, having no legal Charter or Constitution may bee alsoe fit to bee annexed thereunto, together with the Province of Main. Which the Corporation of the Massachusets-Bay lately bought of M<sup>r</sup> Gorges the Proprietor. But because there remains some doubt whether the Propriety of that Province, being placed in Trustees by the Corporation, bee legally devolved vnto His Ma<sup>y</sup> upon their dissolution; It is ordered that this Case bee stated to M<sup>r</sup> Attorney General, and that if hee bee of opinion that this Province is devolved to His Ma<sup>y</sup>, it bee then annexed to the Government of Cott Kirk.

Their Lo<sup>ps</sup> doe likewise observe that the Colonys of Rhode-Island and Conecticut are governed at present by Charters granted by His Ma<sup>y</sup> in the year 1663 which are not yet vacated by any Proceedings at Law.

Their Lo<sup>ps</sup> entring vpon the consideration of fitting Powers for the Governor, and having first ordered the Charter of y<sup>e</sup> Massachusets to bee read, It is agreed that the Governor have a Council of twelve persons to bee chosen by the King, Five of whom are to bee a Quorum, and that they bee suspended by the Gov<sup>r</sup> as hee shall see cause. And that, vpon the death of the Gov<sup>r</sup> th'eldest Counsellor doe preside as in other Plantations. And that an Assembly bee called when the Gov<sup>r</sup> shall see occasion. [It is alsoe proposed that, vpon the sitting of an Assembly, the Gov<sup>r</sup> endeavor to pass an Act for confirming such Marriages as have been made by Magistrats, And that none bee made after that time but by the Clergy.]

The

The Abstract of my Lord Howard's Commission for the  
The Commission to bee like my L<sup>d</sup> Howard's. Government of Virginia is alsoe read and ordered  
 to bee the Rule and Model, whereby the Commis-  
Martial Law to extend to Soldiers in pay. sion to Cott Kirk is to bee prepared, with this  
 Difference that, besides the Exigences wherein  
 the Martial Law is to bee executed, it extend alsoe to Soldiers  
 in pay.

It is likewise ordered that there bee a Clause in the Com-  
The Church of England to bee encouraged. mission giving particular Countenance and en-  
 couragement to the Church of England. And  
 that one of the Churches at Boston bee set apart for that  
 service.

Their Lo<sup>ps</sup> will take into further consideration what Rule  
Appeals to bee Considered of. ought to be set for Appeals, or Whether the  
 summe shall not exceed two Hundred pounds  
 or more.

As alsoe what Salary may bee requisite for the Governor,  
And the Gov<sup>r</sup>'s salary. And whether it may not bee fit to continue the  
 present Taxes, vntill the Assembly shall grant  
 such as are necessary for the support of the Government.

The Petition of M<sup>r</sup> Edward Randolph is delivered by my  
M<sup>r</sup> Randolph's Petition. Lord President from His Ma<sup>ty</sup>, wherein M<sup>r</sup> Ran-  
 dolph prays that, in consideration of his Services,  
 hee may have a Grant of the place of Secretary and Re-  
To bee Secy and Recorder. corder of the Massachusets-Colony, Which their  
 Lo<sup>ps</sup>, taking notice of his past services and ability  
 to serve His Ma<sup>ty</sup>, agree to report their opinion that the said  
 Places bee conferred on him.

LETTER

## LETTER FROM MATHERS TO DUDLEY.

*State Papers, Colonial, Bundle 55 (384), 10 Nov. 1684.*Worthey S<sup>r</sup>

I returne you my Humble thanks for yo<sup>r</sup> Civillity in letting me haue a Coppy of a letter pretended to be Dated at Boston the 3: 10: 1683 & Subscribed J: M: w<sup>ch</sup> it Seemeth to Some y<sup>r</sup> Know me Not, to haue Supposed me to be the Author of it, but I assure you it is None of mine the forger of it begins with a Lye, in the first line, for he speakes as if M<sup>r</sup> Gouge had written to me by our agents, w<sup>ch</sup> he neuer did: and as if he had Informed me as y<sup>r</sup> the Earle of Shaftsbury died in m<sup>r</sup> Kicks house, when as No man Euer writt any Such thing to me: he represents me as a person well assured of Shaftsburies happines, and as Esteemeing him the great ffreind of gods Cause; they that are acquainted with me, know that I neuer had an high Opinion of that Gentleman, this Manifests the letter to be a peece of forgery, for that reflection on his Ma<sup>y</sup> and what is aded Concerning the Lord Russell & Essex, they are the Expressions of the forger & None of mine; he pretends as if I sent to Amsterdam for the New Couen<sup>t</sup> of Scotland, Carill Vpon Job: and M<sup>r</sup> Owens last workes, Now herein he has Soe grosely played the foole, Soe as to discouer the letter to be a Meere peece of forgery; as for the New Couen<sup>t</sup> of Scotland, I Neauer heard of Such a thing, Vntill I saw it in this wicked Letter, Nor doe I to this day Vnderstand what is the meaneing of it, Carill haue beene in my Studdy this ffifteen Yeares, & if I had him Not it is likely y<sup>r</sup> I Should Send to Amsterdam for M<sup>r</sup> Carill & Docter Owens workes w<sup>ch</sup> are here Sold in Boston:



ton: I might Obtaine them Sooner, and Cheaper from Lond<sup>o</sup> then from Holland, and whether such bookes are to be bought in Amsterdam, or No, I Know not; by this then onely he Spitts Some of his Vennome against Some of those Excellent men, of whome the world was Not worthey; but he Addeth with Some of the Geneva Prints that I may Collect of all to Sweeten the Milke to the Pallats of those good Christians who receiue with Cheerefullness our administrations this is Extreemely foolish, I hope Noe man that is acquainted with me can Suppose Such ridiculous Stuff, had dropt from my Pen, he farther represents me as y<sup>t</sup> I Knew by the Signes in the Heauens, that the heathens Should destroy the whore of Babilon, in this also he hath Acted like a foole, for Now all men may Know that this letter was Neuer Written by me, Since my Judgm<sup>t</sup> is declared in print Exprefs Contradictory; Soe what is here pretended in my bookes of Comitts page 129 & 130 I Endeauor to proue by the Scripture, that Rome Shall Not be Destroyed by Mohe-met, but by other hands, and how often haue I declared y<sup>t</sup> the appeareance of a blazing Star is Not to be Slighted that Mortalls Cannot tell what the pticuler Events are, that Shall follow Yet Such Phinominas are Seen, when the forger of Lyes goes on & tells how Randolph was Suspected to haue had a hand in the last fire In Boston and that if he had Not gon out of Towne, the tumultious Sufferrers would haue Ended his dayes. Now these are things I neuer heard of before, therefore I could Not write them; the Letter forger Saith y<sup>t</sup> Randolph has Pswaded two Collonies to fall of from Vniteing with us; this is a great vntruth, and Some Vpon reasonable termes Conjecture that No man  
Except

Except Randolph Could tell Such a Impudent Lye, when the whole Country Knowes the Contrary; what he farther adds of the Gouverno<sup>r</sup> & Dep<sup>y</sup> Gouvernour &c as Concerneing the Hon<sup>ble</sup> Gouvernour is a Scandalous falshood, & to discouer the Malice of the forger, Not onely against me but against this Colloney: Nor is it likely that I Should Speak of mens Venturing their liues & fortunes, that being an Expresssion No wayes Sutable to my Genius; he also Sheweth himselfe to be a Child of y<sup>e</sup> Devill, by what he writeth Concerneing Doct<sup>r</sup> Oates & S<sup>r</sup> L: J: of neither of Whome did I write any thing: he pretends in the Close of his fforgerie as if I had Sent the letter by a Jew by way of Barbados, this doth more fully demonstrate the forgery, for I Knew Not that there was any Jew in Boston the last winter, Nord [*sc*] did I learne that any Jew did goe from thence to Barbados, to be Sure I saw none, Nor did I Euer Send a letter by any Jew in my life, belike the Jewes Name that Carried the Letter was Either Edward or Barnard Randolph, I shall take Notice but of one Passage more in this letter: w<sup>ch</sup> in Some respect is more wicked then all the rest: he brings me In Sending kinde Salutes to M<sup>r</sup> ferguson & Assureing him of hartly Welcome to New England if he held his resolution of Comeing hither, ferguson is a pson with whome I haue no Manner of Acquaintance, I neuer Sent Sallutations to him by any one, or at any time, Nor did I Euer heare that he had thoughts of Comeing to New England, Vntill this letter forger (who is Not to be beleiued) Said it, whereas he Addeth we had power by our Charter to protect those, who flye for protection [*sc*] Sake, as wee did Goff & Whaly, this dos Suffitiently Intimate who was the Author of this  
forgery,

forgery, VIZ<sup>t</sup> that it was Randolph himselfe, for it is well knowne, he did once Exhibitt a Complaint against this Colloney because in their Law booke it is declared, if men flye thether being persecuted, they Shall finde favor, and Lying Comment that Randolph made Vpon it, was by Vertue of this law of the people in New England, in Shewing Kindness to Goff & Whaley, Lett all rationall men Judge, whether any one but Randolph was the Author of this forgery; besides there is So much Said of Randolph in this Spurious letter, that giueth Just Cause to Suspect him to be the ffather of it, it is reported that he has a Notable Art in Imitateing hands: that he Can doe it Soe Exactly that a man Cannot Easily diserne the Knauery, & y<sup>t</sup> one of the Randolphs being detected of Such Villany Is lately fled: to Saue his Eares: whether as Some Say he has Imitated my hand in his forgery I know Not, or whether he has forged any more Letters with this, and ffathered his Bratts Vpon me, Onely I hope that good will come out of it; howeuer tis good that all mankind will be Conuinced that Randolph is a great Knaue, for he that will forge Such a bloody Letter, that So he may do mischeif Not onely to an Innocent man, but to an honest people, what wickedness & Inhumanity will he Not be guilty of if he doth but thinke that his Villany Shall Not be Discouered, but I am Not the first that haue beene thus abused, I finde in the history of Sham Plotts in Page 16 & 17 that treasonable Letters was forged & laid to the Charge of Seuerall Non Conformist Ministers, M<sup>r</sup> Baxter, Doct<sup>r</sup> Conant, and other men of great worth, but the Impious Authors thereof were detected to their Shame, & So I Doubt Not but it will be in this Case, and rather because the  
forger

forger has highly abused the glorious Name of the blessed God, Not onely by a Profane Cotation of many Scriptures w<sup>ch</sup> were Not mentioned by me, but by mentioning the Sacred title of the most high God to Serue a Wicked designe, In the Super Serition [*ſic*] of his forgery he mentions the Name of Jefus Chrift, and foure times he Mentions the Dreadfull Name Jehova, w<sup>ch</sup> is a Name that for Some reasons Not Needfull here to be Exprest, I doe very rarely Mention, & that is a farther Manifestation, that this letter was Not of my Composure. Such has been the desperate prophaneſs of the Atheifticall Author of this forged letter, that rather then Not Attempt the doeing of Miſcheiſe to New England, & to me who am one of the leaſt of the Miniſters of God; therein he will Attempt God himſelfe to Vindicate his owne Name Vpon him, but I beleiue as to yo<sup>r</sup> Selfe S<sup>r</sup> to whome I am Knowne I am Certaine that before Euer you Speake with me about it you were perſwaded the letter was None of mine, Since it was Not written in my Stile, & there are things in it Obhorrid to my Knowne principalls, You may Comūnicate this to whome you pleas.

I am S<sup>r</sup> Yo<sup>r</sup> Humble Seru<sup>t</sup>

Boston

INCREASE MATHER.

y<sup>e</sup> 10<sup>th</sup> Nouem<sup>r</sup> 1684.

To Joſeph Dudley Eſq<sup>r</sup> at Roubery.

[*Endorſed*] N<sup>o</sup> 3. N. England 10 Nou : 1684. Copy of M<sup>r</sup> Mather's lett<sup>r</sup> to M<sup>r</sup> Dudley.

Rec<sup>d</sup> from M<sup>r</sup> Randolph 1 Dec. 1683.

CONCERNING

## CONCERNING COLL. KIRK : — QUIT-RENTS : — CHURCHES, &amp;c.

*State Papers, Colonial, Entry Book 108, p. 35.*

At the Committee of Trade and Plantations  
in the Council-Chamber at White Hall  
Saturday the 22 : of Novemb 1684.

Present: Lord Keeper, Lord President, Earl of Sunderland, Earl of Bridgewater, Earl of Aylesbury, Earl of Craven, Earl of Clarendon, Earl of Middleton, Lord Godolphin, S<sup>r</sup> Leoline Jenkins.

New England. My Lord Keeper acquaints y<sup>e</sup> Committee with His Majesty's Pleasure That, in Colonel Kirk's Commission and Instructions noe mention bee made of an Assembly; but that the Governor and Council have Power to make Laws and to perform all other Acts of Government, till His Ma<sup>y</sup>'s Pleasure bee further known.

Marriages and Judicial proceedings to bee confirmed. That all Marriages contracted according to the Laws and Customs of New England; And that all Judicial Proceedings in the several Courts there, bee confirmed by the Commission

Liberty of Conscience to bee mentioned only in y<sup>e</sup> Instructions. That Liberty of Conscience which His Ma<sup>y</sup> is pleased to grant to the Inhabitants of New England, bee mentioned only in Coll Kirk's Instructions.

A Publick Seal. That His Ma<sup>y</sup> will give Order for a Publick Seal in New England.

Attorney Gen<sup>l</sup>'s Report about y<sup>e</sup> Province of Maine. A Report from M<sup>r</sup> Attorney General read and approved by their Lo<sup>es</sup> vpon the Question sent to him by the Committee, Whether the Province of Main (which had been bought by the Corporation of the Massachusetts

Massachusetts Bay) bee not devolved to His Majesty, that Corporation being dissolved by Judgement vpon a Scire Facias, which M<sup>r</sup> Attorney General decides in the Affirmative. And that the Propriety of Lands there not sold to privat persons, follows the Government towards defraying the charge thereof.

Coll Kirk's Instructions. A Draught of Instructions prepared for Coll: Kirk read; Whereupon it is thought fit it bee left to Coll: Kirk to nominate such persons to bee of the

To Name the Council. Council (of which the number to bee twelve) as hee shall think best qualified for His Ma<sup>y</sup>'s Service, and to transmit the names of them for His Ma<sup>y</sup>'s approbation. And that a privat Instruction bee prepared for the

The Secry to bee one. and the Magistrates that were displaced. appointing the Secretary to bee of the Council and recommending such others by name for that trust as, having been Magistrates there, have been displaced by the former Government.

Acts made by the Gov<sup>t</sup> & Council. And it is likewise thought fit that all such Acts as shall bee passed by the Governor and Council there may continue in force till His Ma<sup>y</sup>'s pleasure bee signified to the contrary.

The King's Pleasure whether Taxes bee continued or new ones raised. My Lord Keeper alsoe is desired to receive His Majesty's pleasure whether the present Taxes shall bee continued, or others raised, and in what manner such Taxes shall bee raised, and to what summe.

Coll Kirk not to leave ye Government without leave in Council. That Coll Kirk bee strictly forbidden to come into England without first having obtained leave from His Ma<sup>y</sup> in Council for soe doing pursuant to an Order of Council of the 3<sup>d</sup> of November 1680, which is likewise to bee delivered to Coll Kirk with his Instructions.

Their

Lands to bee granted vpon a Quit-rent of 2s 6d every 100 Acres. Their Lo<sup>ps</sup> doe likewise think fit that such Lands as shall bee in His Ma<sup>ty</sup>'s disposal in New England bee not granted to any person without a reservation to His Ma<sup>ty</sup> of two shillings sixpence at least for every hundred acres to bee paid as a Quit-rent; which Rate hee may alsoe augment as there shall bee occasion.

A Church to be appointed. It is likewise thought fit that Coll<sup>l</sup> Kirk bee directed to appoint one of the Churches now in Boston for the exercise of Religion according to the Church of England.

To arm ye Planters with advice of the Council. As alsoe that, in the care to bee taken for providing the Planters with arms, hee proceed with the advice of the Council.

Commissioners of the Customs to prepare Instructions. Their Lo<sup>ps</sup> doe likewise think fit that y<sup>e</sup> Commiss<sup>rs</sup> of the Customs bee directed to prepare a Draught of such Instructions relating to the Act of Parliament concerning Trade as they shall esteem most proper for that purpose.

and Consider the Clause of Monopolies. And that they likewise consider the Clause in Coll<sup>l</sup>. Kirk's Instructions concerning Trade and engrossing of Commodities, and return their opinion thereupon.

Coining Money referred to the Commiss<sup>rs</sup> of the Mint. Notice being taken that a Mint has been kept vp and employed at Boston for Coining of mony different in value and Allay from that of England, their Lo<sup>ps</sup> refer the consideration thereof to the Commiss<sup>rs</sup> of the Mint.

Instruction about the French. Their Lo<sup>ps</sup> being informed by a letter dated at Boston the 15<sup>th</sup> of September last that the French have undertaken to rais ffortifications, have settled a town and

and are subduing the Indians inhabiting near the Head of Connecticut River within the Massachusetts Line, agree to take the matter into further consideration, in order to form an Instruction to Coll Kirk thereupon.

The King's  
Pleasure what  
Salary & where  
it shall bee paid. My Lord Keeper is also desired to receive His Ma<sup>y</sup>'s Pleasure what Salary shall bee appointed for the Gov<sup>r</sup>, and where it shall bee paid.

JOSEPH DUDLEY TO EDWARD RANDOLPH.

*Mather Papers* in Boston Public Library.

D. TO R.

[Extract in handwriting of Cotton Mather.]

Dec 1. 1684

I wrote you my willingness to sustain some place in the Regulation.

You will bee very easily capable to recommend your best Friends, who will bee such also as may bee acceptable to the Body of this people.

Lett not particular persons be shutt up from Redress of Ill Issues here.

I would be glad that the *Placita corona* might be shut up, except the Treasonable Libel, which I can gett no copy of.

Here is a strange Spirit in some of the people, towards M<sup>r</sup> St.[oughton] & Bu.[llivant] but beyond all account against my self,—of which, if the New-Settlement should take no notice, however they may bee disappointed, they will fling up their Caps for joy, that wee are neglected.

If



If his Majesty should at first betrust the Governm<sup>t</sup> wholly to persons among us, I am sure the charge would be the less, & I believe the service performed to good satisfaction, both to His Majesty & people.

R. TO THE LORDS.

*Mather Papers* in Boston Public Library.

[Extract in the handwriting of Cotton Mather.]

Dec. 3. 1684.

There are dangerous principles among them, which Mr. Mather maintains & propagates.

If that great Body of people by misunderstanding be once broken & dispersed into the Southern plantations, the French will certainly by degrees swallow up that great Countrey, planted & possessed by his Majesties subjects now above these 60 years, & so at length become masters of all his Maj<sup>ties</sup> West India plantations, which by the Benefit & Advantage of those many Harbors in that Countrey may be obtained.

SIMON BRADSTREET TO EDWARD RANDOLPH.

*Mather Papers*, Vol. V. p. 82, in Boston Public Library.

ffor Edward Randolph, Esq<sup>r</sup> att Whitehall.

Boston, 8<sup>th</sup> Decemb<sup>r</sup> 1684.

S<sup>r</sup>, — I receiued y<sup>r</sup> of 4<sup>th</sup> Sept<sup>r</sup> 84, for which I returne y<sup>a</sup> many thanks, espetially for the endeav<sup>r</sup> y<sup>a</sup> fay y<sup>a</sup> will use for  
the

the peace and welfare of this place and people here, w<sup>th</sup> if y<sup>a</sup> can be instrumentall to effect, I am confident y<sup>a</sup> will neuer have cause to repent thereof. I cañot chuse but have a naturall loue and affection to this place and people, w<sup>th</sup> whome I have spent soe great a pt of my life, tho' I have sometyme mett w<sup>th</sup> pretty hard measure from some of them. *I am afraid, (by what I heare)* that by this tyme, some judg<sup>t</sup> is passed against our Charter, but if his Ma<sup>tie</sup> would be graciously pleased out of his princely clemency to pdon what is past, and to contynue the goũm' here in such a way as is intimated in his Ma<sup>ties</sup> gracious declarac̃on, to which myselfe and seũall of the magistrates voted a submission, I doubt not but it would conduce as much to his Ma<sup>ties</sup> hon<sup>r</sup>, dignyty, pffitt, and satisfactiõ, as the sending over a Gouvern<sup>r</sup>, which would be very chargeable; and the people here you know are generally very poor, vnles some few in Boston, and most of them not soe rich as they are thought to be. The warr w<sup>th</sup> the Indians and late great fyres have much impouerished this Country, and the unproffitableness of trade every where doeth much discourage; and I haue heard seũall solemnly p̃fesse that in their irregular trading they have seldome or never seene their owne againe, and are resolved wholly to giue it ouer, which I should be heartyly glad they would. I hope amongst all the faults wee are or may be charged with, the service wee have done his Ma<sup>tie</sup> in subdueing and secureing (with the expence of soe much blood and treasure) soe large a tract of Land annexed to the Crowne of England, will not be wholly forgotten. It is noe small greife to see and heare the myserable condiçon of o<sup>r</sup> neighb<sup>r</sup> of Hampshire, sometyme a hopefull & flourishing plantaçon,

but now in a maier vndone; noe face of trade, nor much care of anything else; there owne *vessells* being afraid to come into their owne port, from whencefoeuer they come, as some of them haue declared to my selfe. But enough of this; I suppose y<sup>a</sup> will heare more from oth<sup>r</sup>. This makes our people dread the like *Condiçon*. I am sorry to heare what y<sup>a</sup> write in reference to M<sup>r</sup>. Mather. Some few weekes before I receiued yo<sup>r</sup> lett<sup>r</sup>, there came ouer a copy of a lett<sup>r</sup> that went under the notion of one of his, but he possitiuely denyes it, and sayth every lyne of it is forged, is much consernd about it, and sayth hee is much abused thereby. And indeede, my charyty is such, that tho I am afraid that hee might write something inconveinent to his ffreinds, yet I cañot think him soe foolish and absurd to write all that is contayned in that lett<sup>r</sup>, especially in reference to Mr. ffur-giffson, inviting him hither, pmying welcome and safty as was shewed to Goff and Whaley, which hee could not say with any reason or trueth, ffor they were never hid or secured here that ever I could heare of. As for my selfe, I never saw eith<sup>r</sup> of them, but being att New Haven upon Comission, with my broth<sup>r</sup> Denison, when his Ma<sup>ties</sup> pclamaçon agst them came ouer, wee p<sup>r</sup>sently sent forth warr<sup>s</sup> to all pts for their app<sup>r</sup>hençon, (hearing they had bene in those pts not long before,) and had they bene app<sup>r</sup>hended, would vndoubtedly haue bene sent prison's to England, but what became of them afterwards, I could neuer heare to this day. I could be glad to see a copy of that lett<sup>r</sup> of Mr. Mather's, that y<sup>a</sup> say y<sup>a</sup> have by y<sup>a</sup>, if y<sup>a</sup> thinke it convenient. It is possible I might make some vse of it. I neuer saw any of o<sup>r</sup> agitato<sup>r</sup>s letters that they sent abroad for the last elecçon, but haue  
heard

heard there were more then a few, and noe doubt full of strong reasons and arguments; but they fayled in pt of their expectaçon. *Mr. Dyer* hath bene here euer since the spring, w<sup>th</sup> a large Comission, as hee p'tends, from the Comission's of the Customes, to place and displace any of his Ma<sup>ties</sup> offic's relating to the Customes in America; indeed hee is styled in a letter hee brought mee from the Com<sup>r</sup>, Survey' and Search' gen'all, but whither his Comission be soe large as hee declares it is; I cañot tell. I suppose hee will act to the vtmost end of it. When hee came first, I told him *Mr. Thatcher* was y<sup>e</sup> Deputy, whome after some discourse hee was willing to contynue, and soe I gaue him his oath as y<sup>e</sup> Deputy, & euer since, shipps and vessells doe gẽnally enter and take their clearings from him, but *Mr. Dyer* seizes vessells, and makes them pay custome or compositions, I cannot tell whith', whereby he hath gott a considerable some of money, as I am informed. A just account thereof, noe doubt hee will rend' to his Ma<sup>ties</sup> receiuer, but whith' seizing and receiueing his Ma<sup>ties</sup> dues pply belong to him, I doe not yet fully *vnðstand*, but thought it was best for the p'sent to lett all things rest as they doe till wee see how our mayne businefs wilbe determined. I doubt not but hee hath and will send many informaçons and compl<sup>ts</sup> against the Country, and it may be some against yo'selfe, as once hee intimated to mee hee would, but none against mee, whoe hee sayth hath done as much for his Ma<sup>ties</sup> service as can be desired or expected. Howeuer, I could be glad to hear what informaçon hee giues, and assure myselfe that those honorable gentlem. whome hee informes will not condeme without hearing. *Here came into this port a ffrench pryvatere*

pryvatere to recrute his shipp, being very leakey. The Capt., one Michael Andreson, Mr. Dyer encouraged much for her permission to come in to repaire, and sometye after seized her as a pyrate, & p<sup>r</sup>sented a large libell ag<sup>t</sup> the said Capt. as a most notorious pyrate, but could proue nothing considerable, and then demanded the 5s. p tun, which was not thought due by the Council, thee comeing in neith<sup>r</sup> to trade nor bring passengers. Much more might be said to this matt<sup>r</sup>, but my tyme forbids mee, being very late att night.

Capt. ffrost arriued here 16. Octob<sup>r</sup>, a month before I rec. y<sup>r</sup> let<sup>r</sup>, entred from Amsterdam, noething but ballast. M<sup>r</sup> Chickley came in a weeke or 10 dayes aft<sup>r</sup> the receipt of y<sup>r</sup>., entred from Whitehauen, shewed his clearing from thence, which I could not disproue, but doubt whither ever hee came there or not. I comended the strickt examina<sup>o</sup>n of both there cases to M<sup>r</sup> Dyer and M<sup>r</sup> Thatch<sup>r</sup>, but what they haue done therein I doe not yet heare, but am informed that from M<sup>r</sup> Wharton and M<sup>r</sup> Paige hee receiued a considerable so<sup>m</sup>e, as much as their custome or something like it, telling them that hee hath power so to doe by his instru<sup>o</sup>ns, for the first tyme. S<sup>r</sup>, I haue sent 8 Coppyes of bonds taken here of shippes for England, but S<sup>r</sup> G. Downeing being dead, I know not well whome to write to. I pray p<sup>r</sup>sent them with my humble service to some of the hon<sup>ble</sup> Commission<sup>rs</sup>. It is possible one or two of them may be duplicates of what was sent the last yeare. I haue many oth<sup>rs</sup> by mee for these pts and N. foundland. which I shall mynd M<sup>r</sup> Thatcher of, that they may p<sup>r</sup>duce theire certificates, &c. I suppose you wilbe tyred w<sup>th</sup> reading, as I  
am

am with wryting, Noe more therefore att p'sent, but that  
I am

Your very loving ffreind & humble serv<sup>t</sup>,  
S: BRADSTREET.

Mr. Thatcher tells mee they haue sent informaçon into  
England in reference to seûall certificates & clearings. The  
world is full of cheats.

TO THE RIGHT HONO<sup>ABLE</sup> THE COMMISSIONERS OF HIS MA<sup>TIES</sup>  
CUSTOMES.

*Massachusetts Archives*, Vol. CVI. pp. 351-8. [December, 1684.]

The Humble Petition of Edward Randolph Gent: Sheweth  
That the Commissioners of his Ma<sup>TIES</sup> Customes being sensi-  
ble of the many frauds & ill practises carryed on in New  
England by exporting from thence the enumerated planta-  
tion Goods directly to Holland and other fforaine parts con-  
trary to the Acts of Trade & Navigation of this Kingdome  
Itt was thereupon thought fitt and accordingly ordered That  
yo<sup>r</sup> Petitioner should goe over in Quality of Collector Sur-  
veyor & Searcher with power & instructions to feize all such  
Shippes and vessells as Traded there contrary to Law att the  
Salary onely of an hundred pounds a yeare with promise to  
be afterwards considered according to his services.

Thatt yo<sup>r</sup> Petition<sup>r</sup> (being arrived in New England in the  
year 1679) began with some of the principall offenders seiz-  
ing for his Ma<sup>TIES</sup> their Shippes & Goods and prosecuted the  
same, but by the Influence of the Inhabitants upon the Gov-  
ernm<sup>t</sup> & Judges of the Courts in Boston &c. Itt was ordered  
that

that the Jurys brought in their verdicts against his Ma<sup>ty</sup> with damages which yo<sup>r</sup> Petition<sup>r</sup> was forced to pay besides his charges in the prosecutions and further obliging yo<sup>r</sup> Petition<sup>r</sup> by an order of court to deposit Ten pounds before he would have leave to bring any cause to tryall for his Ma<sup>ty</sup>

Now forasmuch as yo<sup>r</sup> Petition<sup>r</sup> in his Seizures & prosecutions made for his Ma<sup>ty</sup> has expended in the space of ffour yeares the sum of Two hundred & ffifty seven pounds ffourteen Shillings without any advantage to himselfe and by his unwearyed Care & diligence caused the Acts of Trade & Navigation to be confirmed & made the Lawes of that Country before his last returne from thence by which and other meanes he has effectually reduced the Trade there into a regular Current to the advantage of his Ma<sup>ty</sup>s Customes in England for which services & expences besides the many hazards & dangers he went thro in discharge of the Trust reposed in him by the Commissioners of his Ma<sup>ty</sup>s Customes he has as yet received noe Satisfaction.

Yo<sup>r</sup> Petition<sup>r</sup> humbly prayes yo<sup>r</sup> Hono<sup>r</sup> to order him the payment of the sume of Two hundred & ffifty seaven pounds and ffourteene Shillings as by the annexed account doth appeare, which was necessarily expended for his Ma<sup>ty</sup>s Service without any profit to yo<sup>r</sup> Petition<sup>r</sup>

And yo<sup>r</sup> Petition<sup>r</sup> shall ever pray etc.

[New England money  
Sterling

257.14.  
193. 6.]

An account of charges & disbursements made by Edward Randolph from the yeare 1679 to the yeare 1684, pursuant to the Instructions received from the Comm<sup>rs</sup> of his Ma<sup>ty</sup>s Customes  
in

in feizing & profecuting Ships trading in New England contrary  
to the Aëts of Trade and navigation.

For hire of two horfes from Boston to Piscataqua to feize the Ketch Induſtry of Piſcataqua from Mary- Land tobacco laden for Ireland & expences	} l. s. d. 06.00.00
ffor three weekes expences upon that ſervice	03.00.00
ffor a waiter 6 dayes at 2 <sup>d</sup> p. diem	00.12.00
to Marſhalls fees for leving the executon	00.13.06
to a ffine of 10 <sup>l</sup> laid upon my Deputy Captaine Bare- foote for acting as my deputy in Piſcataqua	} 10.00.00
1680 Expences upon feizing and ſearching for pro- hibited Goods imported from ffance by Wil- liam Woodman of Salem to Marblehead & Salem in Boſton Colony.	
To hire of two horfes from Boſton to Marblehead	01.00.00
to hire of a boat to goe off to ſea	00.10.00
to hire of ffour ſeamen to goe off at 5 <sup>s</sup> p. man	01.00.00
to a conſtable to preſſe men & to aſſiſt in the ſearch	00.10.00
to expences in Marblehead on that buſineſſe	01.00.00
to a waiter 6 dayes a board Capt Moores Sloope of Salem bound for Boſton having prohibited Goods aboard her	} 00.12.00
10 <sup>th</sup> Upon information of 17 pipes of brandy putt aſhoar att Nottles iſland and feized by the ſaid Edward Randolph.	
for a boat & man to goe from Boſton thither	00.10.00
to returne, waite the marſhall for the Executing the Governor <sup>s</sup> Warrant & aſſiſting in that ſervice	} 00.10.00
20 <sup>th</sup> To charges upon the choice of a new Governor att Road Iſland to whom the oath was to be admin- iſtered and for ſettling a Deputy there expended	} 02.00.00
May 12 <sup>th</sup> Upon information of John Nicholls M <sup>r</sup> of a 1680 Ship of Jerſey importing European Com- mtyes	



mtyes into the Islands of Shoales contrary to the 15th of the King was expended		£. s. d.
for hire of two horses from Boston to Piscataqua		02.10.00
to a boat from Piscataqua to the Isle of Shoales to seize the said Nicholls vessell	}	01.10.00
June 4 <sup>th</sup> ffor charges about seizing the Ship James of Londonderry tobacco laden bound for Ire- land Thomas Browning, Master	}	01.15.00
to six men of Piscataqua two dayes to assist in that ser- vice but wee were beat off by fforce	}	02.00.00
to Expenses then in the Isle of Shoales for myselfe and men		02.00.00
12 <sup>th</sup> To charges in travelling & visiting the Severall Governors & Colonyes of Connecticut, Road Island & new Plimouth as directed to settle Deputyes and to observe how the Lawes were putt in execution	}	06.00.00
Charges arising upon the seizure and prosecution of the Pink Exportation [Expectation] of Boston Tho: Gra- tian [Grecian] Mast <sup>r</sup> importing Goods from [Cork] in Ireland directly to Boston.		
To the Marshall to presse men & Boat to goe off to seize that Pinke		00.10.00
to Boat hire & watermen		00.10.00
to three waiters aboard that Pinke 27 dayes at 2 <sup>s</sup> p diem		08.02.00
to hire of ffive men to gett her out of the strand into the harbour	}	00.15.00
to Court charges at the tryall being cast		01.10.00
to charges upon my tryall of the Attachment of 800 <sup>l</sup> served upon me for pretended damages upon that seizure	}	01.10.00
to charges of witnesses & summoning them		00.17.00
		to

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to charges of imprisonment of John Purvis for six weekes for being a waiter aboard the said Pinke & court charges at his tryall	}	05.10.00
Travelling expenſes from Boſton to Yorke		02.00.00
To charges in taking out of coppyes of the whole pro- ceedings of the ſaid tryall att Yorke	}	00.15.00
Charges in ſeizing the Ship Maydenhead of Newbury 100 Tun John Huling Maſtr bound for Bilbo loading 4 hoggsheads of tobacco before entry of ſhip or Goods and having new [ ] for Sayles, and in ſeizing 2 hoggsheads of Iriſh yarne att Salem.		
For horſe hire to Salem		00.07.00
to Conſtable to aſſiſt and boathire		00.12.00
to Expences		00.10.00
Charges in ſeizing the Sayles & rigging of two New Jer- ſey Mens Shipps at Piſcataqua River Ely Nicholls & Phillip [Sèvertt] Maſtr <sup>s</sup> being imported illegally		
To Daniell Mathews Deputy Searcher & Henry Carter his aſſiſtant for their horſe hire to Piſcataqua to ſeize the ſaid ſayles & rigging	}	02.00.00
ffor their expences in travelling and upon the place in that ſervice	}	03.00.00
Charges in ſeizing the Ship Expedition of Briſtoll Sam <sup>n</sup> Lugg Maſter importing goods from Corke directly not producing a certificate that his ſhip was free		
To M <sup>r</sup> . Rawſon Secretary for a Speciall Court holden in Boſton for the tryall of theſe 5 ſeizures as by or- der of that Court made Oðtober the firſt	}	10.00.00
To witneſſes to attend att all the tryalls		01.05.00
To John Hulnig [Huling] for damages & coſts & court		00.16.00
To charges in ſummoning witneſſes att Nantaſkett about the Ship Two Siſters	}	00.12.00
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To Mr Rawson Secretary his fees in entring & trying the severall causes and for Coppies of the Evidences as by receipt doth appear	}	08.00.00
To Joseph Webb Marshall for his fees in Court and summoning Juryes in the severall tryalls	}	01.00.00
An account of charges arising upon severall seizures 1681. made by me Edward Randolph Collector of his Majties Customes in new England made for his Majtie on severall vessells illegally trading		
February 10 <sup>th</sup> Charges going to Plymouth to prose- cute the Sloop Rebecca of Plym- outh Jonathan Jackson Mast <sup>r</sup> seized for his Majties use for carrying 26 Hogsheads of tobacco att Boston aboard the ship John of Dublin Peter Lawrence Mast <sup>r</sup> riding without Com- mand but on my arrivall at Plymouth she was stollen away	}	05.00.00
18 <sup>th</sup> Charges & prison fees for Daniel Ma- thews Joseph [Gaohet?] & James Reedleth being imprisoned for assist- ing me in seizing the Ketch New- berry with the Governo <sup>r</sup> s warrant.	}	01.05.00
27 <sup>th</sup> Seizing the [Desire?] sloop of Road Isl- and att Boston Daniel Sexton Master for unlivering 13 hogsheads and Bar- rells Sugar which now laden at Road Island and noe bonds given & trying that cause	}	03.10.00
1682 Seized att Marblehead the ship New Englands May 12 <sup>th</sup> Merch <sup>t</sup> of Swanzey Richard Jones Mast <sup>r</sup> for landing his cargo before entry made and bring the same to tryall	}	03.00.00
		<b>Charges</b>

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June 7 <sup>th</sup>	Charges having six men with a Marshall to make seizure of the Ketch Rebecca of Boston Alexander Cole a Scotchman Mast <sup>r</sup> having 32 hogheads tobacco aboard bound for Scotland made his escape without the Castle which Ketch & tobacco I seized for his Mat <sup>ie</sup> & putt four men aboard to watch her	04.00.00
7	Charges in retaking the Rebecca Ketch my men which I putt aboard being over powered and putt ashore and the Ketch carryed to Marblehead as appears by the Governo <sup>r</sup> s warrant for my assistance in retaking said Ketch	03.00.00
22	Seized att ffort Hill the sloop Swallow of Boston with 16 pipes of Canary aboard her bringing her to a tryall and prosecuting her att Law att two Courts	04.10.00
28.	Charges in going to Pascataqua to publish his Mat <sup>ies</sup> Commission & seize two Jerfey Vessells but was prevented by the Govern <sup>or</sup>	03.10.00
July 12 <sup>th</sup>	Paid 12 men for assisting to seize the Pinke George Rob. Gampion Mast <sup>r</sup> of Jerfey for importing ffrench goods having made her escape from Salem, and alsoe seized the Ketch Newberry att Cap Anne Isaac Eveleth Mast <sup>r</sup> for importing Canary	10.00.00
26	Wines and unlivering the same without entry made having the men out upon the voyage 14 dayes	
	Charges for witnesses and prosecuting the said Ketch att three severall tryalls	03.00.00
	Charges	

Aug 2 <sup>d</sup>	Charges for keeping James Eveling imprisoned for assisting me by virtue of the Governo <sup>r</sup> s Warrant 10 weekes at 10 <sup>s</sup> p weeke }	04.10.00
Sept 6 <sup>th</sup>	Charges in feizing the Pinke Goodhopes of Boston Robert Willis a Scotchman Mastr belonging to Scotch owners having on board above 100 hogheads of tobacco bound for Scotland & prosecuted att Law }	03.05.00
Oct <sup>r</sup>	Charges in going to Piscataqua to feize the Ketch George }	02.10.00
	Charges of a journey to try att Law the seizure made on the Ketch George and the expences with Court Charges in prosecuting }	
February 8 <sup>th</sup>	Charges of a journey to Piscataqua to prosecute the Barke Guift of God of Jersey upon appeale }	
	Charges in keeping a waiter aboard the Ketch Newberry 17 weekes at 6 <sup>s</sup> p weeke }	05.02.00
March 10 <sup>th</sup>	Charges in keeping Daniell Mathews my Deputy Searcher in Goale from August the 2 <sup>nd</sup> to the 10 <sup>th</sup> of March 1682 taken with an executon for assisting in feizing the Ketch Newberry 32 weekes at 10 <sup>s</sup> p weeke }	16.00.00
	To Coppys of Court records	05.00.00
	Charges in prosecuting in the Court of Boston Edward Le Brown a Jersey man for importing goods without a Cocquitt }	04.05.00
	paid for a speciall court	10.00.00
	for fees of prosecution	02.15.00
	upon information that Peter Lawrence Mastr	

of

July 12<sup>th</sup>

of the Ship St. John of Dublin had traded att Boston Contrary to the Law in bringing the Manufacture of Scotland and loading tobacco before any entry of ship or vessell according to my instructions I endeavoured to seize the ship att an Anchor a league off the towne and accordingly hired two boats & 12 men to lye off to surprize ship or master, who being aboard shott great shott att his Maties Jack (sett up in one of the boats) for which I seized the said Mast<sup>r</sup> by fforce but he was after imprisonment for some time, sett at liberty paying a ffine of Ten pounds to the Country.

	To hire of two boats ffoure dayes	00.16.00
	To 12 men for six dayes in that service at 2 <sup>s</sup> p diem	07.04.00
20th	To ffoure men for taking the said Lawrence	01.00.00
	To expences of the said 12 men during the time they were in his Majties Service }	01.04.00
	To Daniel Mathews Deputy Searcher for his Maties Customs for 12 weekes duty att 10 <sup>s</sup> p weeke }	06.00.00
	To Joseph Browne for discovering to me the time and place where the said Lawrence was to be taken }	00.15.00
	Charges for seizing 50 hogshheads of tobacco carrying aboard the said ship St. John of Dublin }	02.00.00
	To court charges att 2 tryalls abt the said tobacco	02.10.00
	To	

	To Damages given by the Jury att the tryall to Nathaniell Bullard Mast <sup>r</sup> of one of the Sloopes	00.06.06
	To charges and summoning witneffes at the two tryalls	01.15.00
	To ffrriends & prifon ffees paid by me for Daniell Mathews my Deputy Searcher being upon his Mat <sup>ies</sup> fervice in the night feafon feverall times	01.05.00
	To charges of Daniell Mathews going from Boston to Newberry to vifit a vessell att Newberry loading tobacco	01.00.00
August 31.	ffor charges about feizing the Sloope Tryall of Boston Charles Beard Mast <sup>r</sup> carrying prohibited goods to Road Island	01.10.00
Septembr 3 <sup>d</sup>	Charges in feizing the Barke Guift of God of Guarnsey Ely Nicholls Mast <sup>r</sup> importing European goods from ffrance directly to the Province of Maine	
	To William Greene to goe from Boston to Piscataqua to caufe the faid vessell to be feized	01.10.00
12 <sup>th</sup>	Charges in feizing the Ketch Mayflower of Salem Richard Kitchen Mast <sup>r</sup> importing prohibited goods from Newfoundland	
	To horfe hire & fferrys from Boston to Salem	00.07.00
	To constable & men to affist in searching in feverall houses in Salem	00.15.00
	To examining Witneffes and their charges from Salem to Boston	01.00.00
	To	

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	To Thomas Harris for writing & copying my papers three quarters of a yeare }	05.00.00
	Expences upon feizing a Spanish built Shipp called the Batchelors Delight of London Stephen Clay Mast <sup>r</sup> from Provi- dence Plantation hee not producing a sufficient certificate of her being made free.	
	ffor boat hire and men to assist in feizing	00.15.00
	ffor charges of a speciall court holden att Boston by directions of M <sup>r</sup> Dan- forth }	10.00.00
	To Witnesfes	00.05.00
	To a waiter a board the said Ship 7 dayes	00.14.00
Novemb <sup>r</sup> 5.	Expences in a tryall of Barke Guift of God of Guarnsey Ely Nicholls Mast <sup>r</sup> at Yorke in the province of Maine	
	Horfe hire from Boston to Yorke to feize the said Barke }	02.00.00
	Paid by the said M <sup>r</sup> Danforths order bearing date October 19th. P <sup>r</sup> sident of the Province of Maine for a spe- ciall Court to be holden there }	10.00.00
	Charges to fix witnesfes at that Tryall	01.05.00
1684. Nov <sup>ber</sup> 5	Charges in my voyage to Holland	02.05.06
		<hr/> 257.14.00









# I N D E X.







## I N D E X.

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